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Letter dated 17 November 2017 from the President of the International Residual Mechanism for Criminal Tribunals addressed to the President of the Security Council

I am pleased to transmit herewith the assessments of the President (see annex I) and of the Prosecutor (see annex II) of the International Residual Mechanism for Criminal Tribunals, submitted pursuant to paragraph 16 of Security Council resolution 1966 (2010).

I should be grateful if you would have the present letter and its annexes circulated to the Security Council.

(*Signed*) Theodor **Meron**

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Annex I

[Original: English and French]

Assessment and progress report of the President of the International Residual Mechanism for Criminal Tribunals, Judge Theodor Meron, for the period from 16 May to 15 November 2017

1. The present report, the eleventh in a series, is submitted pursuant to Security Council resolution 1966 (2010), by which the Council established the International Residual Mechanism for Criminal Tribunals and, in paragraph 16 of that resolution, requested the President and the Prosecutor of the Mechanism to submit reports every six months to the Council on the progress of the work of the Mechanism.[1] Certain information contained in the present report is also submitted pursuant to paragraph 20 of Council resolution 2256 (2015).

I. Introduction

2. By its resolution 1966 (2010), the Security Council established the International Residual Mechanism to carry out a number of essential functions of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, including the trial of fugitives who are among the most senior leaders suspected of being primarily responsible for crimes, after the closure of the two Tribunals. Pursuant to the same resolution, the Mechanism shall operate for an initial period of four years and, subsequently, for periods of two years, following reviews of its progress, unless the Council decides otherwise.

3. In accordance with its mandate, and as set forth below, the Mechanism has assumed responsibility for a number of functions of both International Tribunals, including with regard to a range of judicial activities, the enforcement of sentences, the protection of victims and witnesses and the management of archives. During the reporting period, the Mechanism was actively engaged in carrying out those responsibilities.

4. The Mechanism is notably engaged in a period of heightened judicial activity with the commencement of the retrial in the *Stanišić and Simatović* case, the ongoing appeal proceedings in the *Karadžić* and *Šešelj* cases and continued review proceedings in the *Ngirabatware* case, in addition to a wide range of other judicial activities. Furthermore, any appeals that may arise from the *Mladić* judgment scheduled to be rendered by the International Tribunal for the Former Yugoslavia on 22 November 2017 would fall to the Mechanism. This heightened activity comes at a time when the Mechanism is preparing to stand fully on its own, for the first time, after the closure of the International Tribunal for the Former Yugoslavia at the end of 2017.

5. As the International Tribunal for the Former Yugoslavia finalizes its remaining work, the Mechanism continues to work closely with the principals and staff of the Tribunal to ensure a smooth and efficient transition of the remaining functions and services of the Tribunal to the Mechanism.

6. The Mechanism remains guided in its activities by the Security Council's vision of it as a small, temporary and efficient structure, the functions and size of

[1] Unless otherwise specified, figures provided in the present report are accurate as at 15 November 2017.

which will diminish over time, with a small number of staff commensurate with its reduced functions. To that end, the Mechanism continues to draw upon the best practices of and lessons learned from both International Tribunals and from other tribunals to actively pursue new ways to improve its operations, procedures and working methods and to maintain flexibility in staff assignments. By doing so, the Mechanism seeks to maximize effectiveness and efficiency across both of its branches, while maintaining relatively low staffing levels.

7. The Mechanism is mindful of the temporary nature of its mandate. Wherever possible, detailed projections of the duration of residual functions entrusted to the Mechanism are reflected in the present report, in accordance with Security Council resolution 2256 (2015). Such projections are based on available data and, as a consequence, are at the present stage of the Mechanism's work both limited in nature and subject to modification in the event of evolving circumstances.

II. Structure and organization of the Mechanism

8. In accordance with its statute (see Security Council resolution 1966 (2010), annex 1), the Mechanism has a single set of principals — the President, the Prosecutor and the Registrar — who have responsibility over two branches, one located in Arusha, United Republic of Tanzania, and the other in The Hague, Netherlands. As mandated, the Mechanism commenced operations at its Arusha branch on 1 July 2012, assuming functions derived from the International Criminal Tribunal for Rwanda. The branch in The Hague commenced operations on 1 July 2013, assuming functions derived from the International Tribunal for the Former Yugoslavia.

A. Organs and principals

9. Article 4 of the statute of the Mechanism provides that the Mechanism shall consist of three organs: the Chambers; the Prosecutor; and the Registry, to provide administrative services for the Mechanism. The workloads of the Chambers and of the Registry are set forth below.

10. The President of the Mechanism is Judge Theodor Meron, the Prosecutor is Serge Brammertz and the Registrar is Olufemi Elias.

B. Judges

11. Article 8 of the statute of the Mechanism provides that the Mechanism shall have a roster of 25 independent judges. Pursuant to article 8, paragraph 3, of the statute, judges shall only be present at the seats of the branches of the Mechanism as necessary at the request of the President to exercise the functions requiring their presence. In so far as possible, and as decided by the President, the functions may be exercised remotely.

12. In furtherance of the Mechanism's effective and transparent management, the President continued his practice of providing regular written updates and briefings to his fellow judges on matters related to the work of the Chambers and of the Mechanism as a whole.

13. On 6 October 2017, the President convened a plenary of the judges, to be conducted remotely by written procedure in accordance with the Rules of Procedure and Evidence of the Mechanism. The plenary, which was called to consider certain

matters related to the internal functioning of the Mechanism, is being conducted in stages to ensure more efficient communication processes and is ongoing.

C. The branches

14. In accordance with article 3 of the statute of the Mechanism, the Mechanism's two branches have their seats in Arusha and The Hague, respectively. The Mechanism continued to enjoy excellent cooperation with the host State at each of its two branches, in accordance with the headquarters agreements in place for each branch.

15. The new premises of the Arusha branch of the Mechanism were occupied by staff on 5 December 2016. The post-construction phase, a period of 12 months that includes the completion of required remedial works, the appropriate recovery of direct and indirect costs arising from delays where economically feasible,[2] the completion of the transition from project management to facilities management and the final closure of the project account, is ongoing. Particular attention is being paid to correcting certain technical defects of the facility constructed to host the archives of the International Criminal Tribunal for Rwanda. The Mechanism remains deeply grateful to the United Republic of Tanzania for its generous and steadfast support throughout this project.

16. The Mechanism's sub-office in Kigali continued to provide protection and support services to witnesses and to support the activities of the monitors of the cases of the International Criminal Tribunal for Rwanda that have been referred to Rwanda, pursuant to article 6 of the statute of the Mechanism.

17. The branch of the Mechanism in The Hague is co-located with the International Tribunal for the Former Yugoslavia. The Mechanism has a strong preference, for efficiency and cost-effectiveness, for remaining at its current premises after the closure of the Tribunal. To that end, the Mechanism is finalizing negotiations with the owners of the premises to transfer the lease of the International Tribunal for the Former Yugoslavia and extend it to the forthcoming biennium. Technical discussions and negotiations with the authorities of the host State and the owners of the premises regarding long-term occupancy are ongoing and progressing.

18. Preparations were under way for the Mechanism to assume full responsibility for a sub-office in Sarajevo, which is being maintained to facilitate essential liaison activities, witness protection and other purposes. Operations previously conducted through the sub-office of the International Tribunal for the Former Yugoslavia in Belgrade were being consolidated and streamlined with the support of staff in The Hague.

D. Administration and staffing

19. The basic requirements for a small, self-standing Mechanism administration were developed in cooperation between the Mechanism and the International Tribunals and included in the budgets for the Mechanism for 2014–2015 and 2016–2017, as approved by the General Assembly. In line with those requirements, the recruitment of the Mechanism's administrative staff has occurred in phases, as the International Criminal Tribunal for Rwanda closed and the International Tribunal for the Former Yugoslavia downsizes, gradually transferring administrative

[2] Pursuant to General Assembly resolution 70/258 (2016), para. 7.

functions to the Mechanism. As a result, the Mechanism will be fully independent by the end of 2017. The phased transfer of administrative functions and the extensive use of double-hatting have avoided the duplication of resources and maximized economies of scale. The resources for the self-standing administration are included in the proposed budget for the Mechanism for the next biennium.

20. In the meantime, the Human Resources, Budget and Finance, Procurement, Information Technology, Security and General Services Sections of the International Tribunal for the Former Yugoslavia continued to perform their functions for the Tribunal and for both branches of the Mechanism. They did so in accordance with the plan for the transfer of administrative functions to the Mechanism and with the support of a limited number of Mechanism administration staff, commensurate with the Mechanism's size.

21. During the reporting period, the Mechanism's formal staff union-management negotiation body, the Joint Negotiating Committee, convened for the first time. In view of the Mechanism's design as a small, temporary and efficient structure and its need to be able to both expand and contract its staffing levels as warranted by its work and in accordance with its statute, the Committee commenced consideration of a fair and transparent process to be followed with regard to staff reductions, building upon the lessons learned during downsizing at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia.

22. The Mechanism had a very low vacancy rate of 5 per cent for its continuous posts. As at 1 November 2017, 167 of the 176 continuous posts approved for the biennium to carry out the Mechanism's continuous functions were occupied. An additional 313 personnel were serving as general temporary assistance to assist with ad hoc needs, including judicial work, litigation and transition issues. Those positions were short-term in nature and, consistent with the flexible staffing structure of the Mechanism, the number of such staff will fluctuate depending on workload. Since the commencement of the work of the Mechanism, recruitment has occurred in full respect of all applicable rules, and no case has been brought before the Organization's internal justice system.

23. The Mechanism's continuous and general temporary assistance positions included nationals of 69 States, namely: Australia, Austria, Belgium, Bolivia (Plurinational State of), Bosnia and Herzegovina, Bulgaria, Burundi, Cameroon, Canada, China, the Congo, Croatia, Cuba, Cyprus, Czechia, the Democratic Republic of the Congo, Denmark, the Dominican Republic, Egypt, Fiji, Finland, France, Germany, Ghana, Guatemala, Guinea, Haiti, Indonesia, Iraq, Ireland, Israel, Italy, Jamaica, Kenya, Latvia, Lebanon, Lesotho, Liberia, Madagascar, Mali, Nepal, the Netherlands, New Zealand, the Niger, Nigeria, Pakistan, the Philippines, Poland, the Republic of Korea, Romania, the Russian Federation, Rwanda, Samoa, Senegal, Serbia, Sierra Leone, South Africa, the Sudan, Sweden, Switzerland, Thailand, the former Yugoslav Republic of Macedonia, Uganda, Ukraine, the United Kingdom of Great Britain and Northern Ireland, the United Republic of Tanzania, the United States of America, Zambia and Zimbabwe.

24. Fifty-eight per cent of professional staff are women, which goes beyond the gender parity goals set by the Secretary-General. Further details concerning the staffing by division of the Mechanism are provided in enclosure 1.

25. It should be noted that the Mechanism continued to rely heavily on double-hatting arrangements with the International Tribunal for the Former Yugoslavia during the reporting period. The approved budget levels take into account the support provided by staff members charged against posts of the Tribunal under those arrangements. Further details and a breakdown of the Mechanism's costs, presented in terms of funds committed, are provided in enclosure 2.

26. The Mechanism has put in place focal points for gender issues; sexual exploitation and abuse; lesbian, gay, bisexual and transgender concerns; and diversity and inclusion issues. The Mechanism has also appointed an interim focal point for disability and accessibility in the workplace, in accordance with the Secretary-General's bulletin on employment and accessibility for staff members with disabilities in the United Nations Secretariat (ST/SGB/2014/3). The focal point will be assisted by an interdisciplinary working group.

E. Legal and regulatory framework

27. Having established a structure to govern its activities, the Mechanism continued to develop rules, procedures and policies that harmonized and built upon the best practices of both International Tribunals, as well as its own practice, in order for the Mechanism to best achieve its mandate in a lean and efficient fashion.

28. During the reporting period, the President considered and provided feedback to the Registry on a variety of draft guidelines and policies, including with respect to occupational safety and health. He also issued a new practice direction on the use of the electronic court management system. The Registrar, in consultation with the President, promulgated several policy instruments related to translation and interpretation, including a code of ethics for interpreters and translators employed by the Mechanism.

29. Furthermore, and in consultation with the President, the Registry continued to work on the establishment of the Mechanism's legal aid regulatory framework. The remuneration policy for persons representing indigent convicted persons in post-conviction proceedings, upon issuance of a judicial order granting assignment of counsel at the expense of the Mechanism for International Criminal Tribunals was adopted on 28 September 2017. The guidelines for determining the extent to which an applicant for legal aid is able to remunerate counsel were adopted on 13 November 2017. With the adoption of that policy and of those guidelines, the Mechanism's regulatory framework for legal aid is now complete.

30. The Mechanism is also in the process of finalizing new rules governing the detention of persons awaiting trial or appeal before the Mechanism or otherwise detained on the authority of the Mechanism to be applied at both branches of the Mechanism. Those draft rules take into account, inter alia, previous practices of the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, as well as the revised United Nations Standard Minimum Rules for the Treatment of Prisoners, and build upon recommendations of the International Committee of the Red Cross. Pending the adoption of the draft rules, the Registry began an assessment of possible revisions to associated regulations to ensure consistency throughout the Mechanism's regulatory framework governing detention matters. In the meantime, the rules of detention and related documents of the International Tribunal for the Former Yugoslavia continued to apply, mutatis mutandis, to Mechanism detainees at the branch in The Hague, while the rules of detention and related documents of the International Criminal Tribunal for Rwanda continued to apply, mutatis mutandis, to detainees at the Arusha branch.

31. At the time of reporting, there were 31 public legal and regulatory instruments and policies in effect at the Mechanism, as well as a growing number of internal guidelines and operating procedures. Those instruments, policies and other guidance documents provide important clarity and transparency for stakeholders across a broad range of the Mechanism's mandated functions.

III. Judicial activities

32. During the reporting period, the Mechanism was seized of a number of complex matters. The President and the judges continued to engage in a wide variety of judicial activity, issuing 211 decisions and orders. In accordance with article 8, paragraph 3, of the statute of the Mechanism, judicial activity was primarily carried out remotely. The President assigned matters to judges on the basis of an equitable distribution of workload. All of the judges on the roster were collectively supported by a lean Chambers team of 25 staff serving at both branches of the Mechanism.

33. Of the 211 decisions and orders issued during the reporting period, 55 (or approximately one in four) related to requests for access to confidential material or for the variation of protective measures. The requests were primarily made by prosecution authorities in national jurisdictions but also included requests from accused in national jurisdictions, accused or appellants in pending cases in relation to their defence or appeals and convicted persons seeking information in relation to possible requests for review. All such requests were primarily adjudicated by single judges working remotely or the presiding judge in a pending case and typically involved the issuance of one or more preliminary orders before the issuance of the final decision. Although it is not possible to foresee precisely when or how often requests related to protective measures may arise, as recognized in the report of the Secretary-General preceding the establishment of the Mechanism (S/2009/258), it is expected that requests for access to confidential material or the variation of protective measures will continue to be filed as long as cases continue to be investigated and prosecuted in national jurisdictions. In addition, accused or appellants will likely continue to file such requests while their cases are pending, as indicated below, and convicted persons are likely to do so until the conclusion of their sentences.

34. Judicial work was also carried out remotely by single judges in relation to other types of motions, including requests for the disclosure of exculpatory material or investigation into allegations of false testimony or contempt. As the Mechanism has a continuing obligation to safeguard the administration of justice, its duty to investigate and prosecute allegations of false testimony or contempt, subject to the provisions of article 1, paragraph 4, of its statute, will continue until its closure.

35. In addition to the above, the Mechanism judges continued their work on a trial and on appeals and requests for review related to the core crimes enumerated in the statute, as set forth below.

36. In the case of Jovica Stanišić and Franko Simatović, the trial commenced on 13 June 2017, and the presentation of the Prosecution's case is ongoing. It is currently expected that the Prosecution will conclude the presentation of its evidence by the end of June 2018. Following the conclusion of the Prosecution's case and the filing of the Defence's witness and exhibit list, it will become possible to make more detailed projections concerning the overall duration of the remaining trial proceedings. At the current stage of the proceedings, the three judges on the bench in the case are carrying out their work at the seat of the Mechanism, in The Hague.

37. The appeals by Radovan Karadžić and the Prosecution against the trial judgment issued on 24 March 2016 by a Trial Chamber of the International Tribunal for the Former Yugoslavia in the *Karadžić* case continued during the reporting period. The Trial Chamber had found Mr. Karadžić guilty of genocide, crimes against humanity and violations of the laws and customs of war and had sentenced him to 40 years of imprisonment. In their notices of appeal, filed on 22 July 2016,

Mr. Karadžić and the Prosecution presented a total of 54 grounds of appeal. Citing the unprecedented breadth and complexity of the case, the large amount of evidence on the record, the length of the trial judgment and the complexity of the issues raised on appeal, the parties requested that the Appeals Chamber grant extensions of time for the briefing process. The Appeals Chamber partly granted the requests and, after 217 days of extension, the briefing process concluded on 6 April 2017 with the filing of the parties' reply briefs. An appeal hearing is expected by the end of the second quarter of 2018 and the case is still expected to be completed in late 2019. At the current stage of the proceedings, all the judges on the bench in the case are carrying out their work remotely, with the exception of the President, who is presiding as prescribed by the statute.

38. On 31 March 2016, a Trial Chamber of the International Tribunal for the Former Yugoslavia issued its judgment in the case of Vojislav Šešelj, finding him not guilty on all counts. The Prosecution filed its notice of appeal on 2 May 2016 and its appeal brief on 29 August 2016. On 8 July 2016, the President, as pre-appeal judge, authorized Mr. Šešelj in the circumstances of the case to file a response brief, if any, within 80 days of the receipt of the Bosnian/Croatian/Serbian translation of the complete trial judgment, including all appended judicial opinions and the Prosecution's appeal brief in Bosnian/Croatian/Serbian. In accordance with the order of the pre-appeal judge, Mr. Šešelj submitted his response brief on 19 December 2016 in Bosnian/Croatian/Serbian, and the English translation was filed on 7 February 2017. The briefing process concluded on 22 February 2017 with the filing of the Prosecution's reply brief. The appeal hearing has been scheduled for 13 December 2017, and a judgment is expected in the first part of 2018. At the current stage of the proceedings, all the judges on the bench in the case are carrying out their work remotely, with the exception of the President, who is presiding as prescribed by the statute.

39. On 3 July 2016, Augustin Ngirabatware filed a request for review of his judgment. As described in previous reports, the proceedings in the case were delayed owing to the inability of Judge Aydin Sefa Akay to exercise his judicial functions in the case until his provisional release from detention on 14 June 2017. Thereafter, the Appeals Chamber was able to consider the merits of Mr. Ngirabatware's request. On 19 June, the Appeals Chamber thus granted the request for review and ordered the parties to file a list of proposed evidence and witnesses to be introduced at a review hearing. Preparations are currently under way for a hearing, which is expected to be held in the first quarter of 2018. At the current stage of the proceedings, all the judges on the bench in the case are carrying out their work remotely, with the exception of the President, who is presiding as prescribed by the statute.

40. On 7 June 2017, Eliézer Niyitegeka filed a request for review of his judgment. The briefing concluded and the matter was being considered by a bench of the Appeals Chamber, with all judges on the bench, with the exception of the President, working remotely. A bench of the Appeals Chamber was also assigned to consider a request for review of judgment filed by Laurent Semanza on 9 October 2017, with respect to which briefing was ongoing. In addition, the Appeals Chamber issued decisions in three appeals from decisions taken by single judges in the *Tolimir*, *Niyitegeka* and *Kamuhanda* cases.

41. During the reporting period, the President of the Mechanism, pursuant to his authority in the area of enforcement of sentences, issued five decisions in response to requests for early release, as well as a number of other decisions. He is currently seized of a number of other confidential enforcement matters. In reaching decisions on certain enforcement matters, the President consults the judges of the sentencing Chamber who are judges of the Mechanism, as applicable, through remote

procedure. The President also issued a number of additional orders and decisions, including three decisions related to a case referred to Rwanda and three decisions related to requests for review of administrative decisions. Moreover, the President issued 35 assignment orders, of which 26 were assignments to single judges and 9 were assignments to the Appeals Chamber.

42. With the exception of what is addressed above, projections for the duration of various judicial functions remain unchanged from those set forth in the Mechanism's review report of 20 November 2015 (S/2015/896, annex). Those projections reflect estimates based on factors such as past experiences with cases conducted at the International Criminal Tribunal for Rwanda and the International Tribunal for the Former Yugoslavia, the scope of the case concerned, activity at the Mechanism to date and the efficient working methods of the Mechanism's Chambers. The projections are based on the presumption that no extraordinary events that might affect their conduct will occur during the course of the proceedings. All projections remain subject to periodic updating based on any new information. In that respect, the Mechanism recalls that, in its evaluation report of 12 May 2016, the Office of Internal Oversight Services (OIOS) indicated with respect to cases of the International Tribunal for the Former Yugoslavia that any changes based on the requirements of a just resolution of a case should not necessarily be construed as reflecting slippage in the conduct of a case and that accurate predictions as to completion could only be made at the close of a trial or at the conclusion of a briefing on appeal. With respect to projections for judicial activities other than trials and appeals from judgment, the Mechanism recalls the observations made in the report of the Secretary-General mentioned above that it was not possible to foresee when or how often requests related to contempt cases, protective orders, review of judgments, referral cases and pardon and commutation of sentences might arise, but that such issues were more likely to arise within a period of 10 to 15 years after the closure of the Tribunals, and that the level of work involved would inevitably decrease over time.

43. Efforts continued to streamline internal working methods and processes within Chambers and, in collaboration with various other Sections of the Mechanism, to further facilitate the maintenance of an efficient and transparent "one office" work environment that drew on the resources available at both branches of the Mechanism in order to address judicial workload collectively wherever arising. In addition, the President and senior staff members regularly exchanged information and views with representatives from other courts and tribunals with a view to identifying and sharing best practices in fair and expeditious case management. Moreover, the judges, whose legal backgrounds are roughly evenly split between civil and common law, continued to draw on their expertise and knowledge in the adjudication of the various matters to which they were assigned.

IV. Registry support to judicial activities

44. During the reporting period, the Registry continued to provide support to the Mechanism's judicial activities at both branches.

45. The Registry processed and disseminated more than 969 filings, including 97 Registry legal submissions, amounting to more than 14,018 pages. In addition, the Registry facilitated and serviced two status conferences in the *Karadžić* case and hearings during the trial phase of the *Stanišić and Simatović* case. With respect to the latter, the Registry facilitated court hearings in accordance with the Trial Chamber's court schedule, as well as the provision of testimony by witnesses via video-link conferences.

46. The Registry's Language Support Services translated 12,000 pages of documents, provided 332 conference interpreter days and produced 6,500 pages of transcript in English and French. This includes the Kinyarwanda Unit of the Language Support Services, which provides translations of, inter alia, monitoring reports with respect to cases referred to Rwanda. Furthermore, the Registry administered the Mechanism's legal aid system and provided various forms of assistance, financial and otherwise, to an average of 39 defence teams comprising a total of approximately 100 defence team members.

V. Victims and witnesses

47. Pursuant to article 20 of the statute of the Mechanism and article 5 of the transitional arrangements (see Security Council resolution 1966 (2010), annex 2), the Mechanism is responsible for the support and protection of the thousands of protected witnesses who have testified in cases completed by the two International Tribunals, as well as of those witnesses who have appeared or may appear before the Mechanism.

48. The Witness Support and Protection Unit continued to be fully operational at both branches of the Mechanism. Consistent with judicial protection orders, and in close collaboration with domestic authorities and other United Nations entities, the Unit provided security for witnesses by undertaking threat assessments and coordinating responses to security-related requirements. The Unit also ensured that protected witness information remained confidential, and it continued to contact witnesses when orders to seek consent to the rescission, variation or augmentation of witness protective measures were received. In addition, the Unit facilitated contact between parties and relocated witnesses or witnesses of opposite parties when so required.

49. As part of the provision of support services to witnesses by the Mechanism at the Arusha branch, witnesses residing in Rwanda continued to receive medical and psychosocial services. Those services are particularly focused on the witnesses experiencing psychological trauma or living with HIV/AIDS, as many of those who contracted the virus did so as a result of crimes committed against them during the genocide.

50. The witness protection teams at the two branches use a common information technology platform for their respective witness databases and continued to exchange best practices. The platform maximizes operational efficiency across both branches.

51. The Witness Support and Protection Unit implemented and complied with 36 judicial orders related to protected witnesses, including orders in relation to requests for the variation of protective measures. In addition, since May 2017, the Witness Support and Protection Unit has assisted with addressing requests for the variation of protective measures related to the International Tribunal for the Former Yugoslavia. The Unit at the branch in The Hague continued to receive new referrals for the assessment and implementation of protective measures.

52. The Witness Support and Protection Unit at the branch in The Hague supported witness activity in the retrial of the *Stanišić and Simatović* case. At the time of reporting, the Unit had facilitated the testimony of 26 witnesses in the case since its commencement on 13 June 2017.

53. Similarly, the Witness Support and Protection Unit at the Arusha branch was making the administrative and logistical arrangements necessary for witness activity related to the forthcoming hearing in the *Ngirabatware* review case.

54. During the reporting period, the Witness Support and Protection Unit at the Arusha branch, in collaboration with the Office of the United Nations High Commissioner for Refugees (UNHCR), intervened with authorities in national jurisdictions on behalf of 124 protected witnesses who testified before the International Criminal Tribunal for Rwanda, for consideration of exemption applications pertaining to the implementation of the UNHCR cessation clause of the Convention relating to the Status of Refugees of 1951.

55. It is expected that victim and witness protection will continue to be required in future bienniums in the light of the numerous judicial protection orders covering 3,150 victims and witnesses that will remain in force unless rescinded or waived. It is difficult to assess how long precisely the victim and witness protection function would need to remain operational. The provision of support may be required until the last victim or witness is deceased or, where applicable, until the cessation of protective measures covering a victim's or witness's immediate family members. In relation to relocated witnesses, support may be required until the last member of the immediate family is deceased.

VI. Fugitives and trial and appeal readiness

56. On 1 July 2012, in accordance with Security Council resolution 1966 (2010) and the statute of the Mechanism, the responsibility for tracking the remaining fugitives indicted by the International Criminal Tribunal for Rwanda was transferred to the Mechanism. Specifically, the Council urged all States, in particular those where fugitives were suspected to be at large, to further intensify cooperation with and render all necessary assistance to the Mechanism in order to achieve the arrest and surrender of all remaining fugitives as soon as possible.

57. Eight accused indicted by the International Criminal Tribunal for Rwanda remained fugitives. Of the eight fugitives, the Mechanism retained jurisdiction over three: Félicien Kabuga, Augustin Bizimana, and Protais Mpiranya. The cases of the other five fugitives have been referred to Rwanda by the International Criminal Tribunal for Rwanda. The arrest and prosecution of all eight remaining individuals remained a top priority for the Mechanism. The fugitive tracking function is within the responsibility of the Prosecutor and is discussed in his report (see annex II).

58. Consistent with its commitment to efficiency, the Mechanism continued to ensure that it was prepared to conduct a trial or appeal in the event of a fugitive being apprehended or of any ongoing proceedings of the International Tribunal for the Former Yugoslavia resulting in an appeal or retrial. Pursuant to article 15, paragraph 4, of the statute of the Mechanism, rosters of qualified potential staff have been established to enable the expeditious recruitment of the additional staff required to support those judicial functions.

59. Trial readiness will continue to be required as long as the cases of the remaining accused still at large are pending before the Mechanism, there is a possibility that a retrial may be ordered in any ongoing appeal proceedings or there is a possibility that the referral of a case to a national jurisdiction for trial may be revoked.

VII. Detention facilities

60. The Mechanism has managed and operated the United Nations Detention Facility in Arusha since the transfer of that function from the International Criminal Tribunal for Rwanda on 1 October 2015.

61. It is expected that the services of the Detention Facility in Arusha will continue to be required until the 10 persons currently awaiting transfer to an enforcement State are transferred or, alternatively, released. Once the remaining convicted persons are transferred, the Facility will retain an area commensurate to the detention of the remaining three fugitives expected to be tried by the Mechanism after they are apprehended and will provide a residual custodial capacity for other individuals who may appear before the Mechanism. The Facility will need to continue to be operational, albeit in a reduced capacity, during the trial and appeal of those persons and, if convicted, until their transfer to an enforcement State.

62. In The Hague, the Mechanism shares responsibility with the International Tribunal for the Former Yugoslavia for the provision of detention services at the United Nations Detention Unit. Management of Unit will be fully transferred to the Mechanism by 31 December 2017. The services of the Unit will continue to be required until all trials and appeals are concluded and all detained persons are released or transferred to an enforcement State, after which a reduced, residual custodial capacity for other individuals who may appear before the Mechanism may have to be arranged.

63. As described in more detail in section II. E above, the Mechanism is in the process of finalizing a regulatory framework to govern detention matters at both branches.

VIII. Cases referred to national jurisdictions

64. Pursuant to article 6, paragraph 5, of its statute, the Mechanism is responsible for monitoring cases referred to national courts by the two International Tribunals, with the assistance of international and regional organizations and bodies.

65. The cases of three individuals indicted by the International Criminal Tribunal for Rwanda and subsequently apprehended, Jean Uwinkindi, Bernard Munyagishari and Ladislas Ntaganzwa, were referred to Rwanda for trial. The *Uwinkindi* case was on appeal, as was the *Munyagishari* case. Trial proceedings were ongoing in the *Ntaganzwa* case. Two additional individuals indicted by the Tribunal, namely Laurent Bucyibaruta and Wenceslas Munyeshyaka, had their cases referred to France for trial. The *Bucyibaruta* case continued to be in the investigative/pretrial phase, while an appeal was pending before an Investigation Chamber in relation to the *Munyeshyaka* case after it was dismissed in 2015 by French investigating judges.

66. The Mechanism continued to monitor the cases referred to Rwanda with the pro bono assistance of six monitors from the Kenyan section of the International Commission of Jurists, pursuant to a memorandum of understanding concluded on 15 January 2015 and subsequently amended on 16 August 2016 to formally encompass the *Ntaganzwa* case. An interim monitor continued to monitor the two cases referred to France. The public monitoring reports in all five cases are available on the Mechanism's website (www.unmict.org).

67. The Mechanism continued to monitor the status of the case of Vladimir Kovačević, which was referred to Serbia by the International Tribunal for the Former Yugoslavia in March 2007.

68. The Mechanism's activities in relation to cases referred to national jurisdictions are expected to continue for the duration of those cases. While each case is different, the experience with referred cases to date is instructive as to potential timelines. The *Ntaganzwa* case is currently at trial, approximately 18 months after the accused was transferred to Rwanda. Mr. Uwinkindi was

transferred to Rwanda for trial in 2012, and Mr. Munyagishari was transferred to Rwanda for trial in 2013. Both of their cases are currently at appeal stages. If any of the five remaining fugitives whose cases have been referred to Rwanda for trial are arrested, the estimate for the continuation of the Mechanism's monitoring function with respect to Rwanda will need to be assessed at that time. The two cases referred to France have been at the investigative/pretrial phase for 10 years and, as set forth above, remain ongoing. Further estimates for the continuation of the Mechanism's monitoring function with respect to France will depend upon decisions of the French judicial authorities in those cases.

IX. Enforcement of sentences

69. In accordance with article 25 of the statute of the Mechanism, the President has jurisdiction over enforcement issues related to the Mechanism and the two International Tribunals, including the authority to designate the States in which convicted persons are to serve their sentences, to supervise the enforcement of sentences and to decide on requests for pardon or commutation of sentence.

70. The Mechanism relies on the cooperation of States for the enforcement of sentences. Sentences are served within the territory of States Members of the United Nations that have concluded agreements for the enforcement of sentence or indicated their willingness to accept convicted persons under any other arrangement. The agreements concluded by the United Nations for the two International Tribunals continue to apply to the Mechanism, mutatis mutandis, unless superseded by subsequent agreements. The Mechanism continued its efforts to secure additional agreements to increase its enforcement capacity for both branches and it welcomes the cooperation of States in that regard.

71. Of the 23 persons convicted by the International Criminal Tribunal for Rwanda who are currently serving their sentences, 13 are in Mali and 10 are in Benin. The Mechanism is deeply grateful to both those States for their ongoing engagement in the enforcement of sentences, in full conformity with international standards. Ten convicted persons remain at the United Nations Detention Facility in Arusha, pending transfer to an enforcement State, and the Registrar continued to engage in negotiations with a variety of States, as a priority, concerning the possible enforcement of sentences for those prisoners. In particular, discussions with the Government of Senegal advanced during the reporting period with regard to the use by the Mechanism of cells in a Senegalese prison that were refurbished with the assistance of the United Nations.

72. Sixteen persons convicted by the International Tribunal for the Former Yugoslavia are currently serving their sentences. Those individuals are serving their sentences in nine States: Denmark (1), Estonia (3), Finland (2), France (1), Germany (4), Italy (1), Norway (1), Poland (2) and Sweden (1). Two convicted persons are at the United Nations Detention Unit in The Hague, awaiting transfer to an enforcement State. The Registrar continued negotiations with one potential enforcement State concerning the possible enforcement of their sentences.

73. The Mechanism, in coordination with national authorities and the United Nations Development Programme, continued efforts to address the recommendations of the relevant inspecting bodies charged with examining the conditions of detention in enforcement States. Improvements were made to the international wing of Koulikoro Prison in Mali and Akpro-Missérété Prison in Benin within the purview of the Mechanism's mandate, including enhancements that served to implement recommendations of an independent prison management expert engaged by the Mechanism.

74. The Mechanism continued to monitor closely the particular security situation in Mali and received advice and reports from the Department of Safety and Security of the Secretariat and the designated security official in Mali.

75. It is the goal of the Mechanism to complete the transfer of all convicted persons currently held under the jurisdiction of the Mechanism at the United Nations Detention Facility in Arusha or the United Nations Detention Unit in The Hague to enforcement States in the course of 2018, subject to the cooperation of States, as detailed below in section XII. The functions related to the supervision of the enforcement of sentences carried out under the authority of the President will continue until the last prison sentence has been served, subject to the application of rule 128 of the Rules of Procedure and Evidence of the Mechanism, which allows for the possibility of designating another body to supervise the enforcement of sentences after the Mechanism ceases to exist, in the event that any convicted person remains imprisoned in an enforcement State at that time.

76. As set forth in the report of the Secretary-General mentioned above, it is not possible to foresee when or how often requests for pardon and the commutation of sentences may arise. Nevertheless, it was stated in that report that, in general terms, such issues were more likely to arise within a period of 10 to 15 years after the closure of the International Tribunals and that the level of work involved would inevitably decrease over time. It was also stated that the two Tribunals estimated that applications for commutation of sentence, pardon or early release could be expected until at least 2027 for cases of the International Tribunal for the Former Yugoslavia and until around 2030 for cases of the International Criminal Tribunal for Rwanda. While the Mechanism is generally in agreement with the above, that estimate, which was made in 2009, requires a slight adjustment, given the fact that several individuals currently serving life sentences will not be eligible for consideration of pardon, commutation of sentence or early release until at least 2035, even though they may seek such relief before that time.

X. Relocation of acquitted and released persons

77. The Mechanism continued to deploy focused efforts to facilitate sustainable solutions for the resettlement of acquitted and released persons and to provide those still residing in Arusha with relevant assistance, in line with the Strategic Plan for the Relocation of Acquitted and Released Persons. The number of acquitted and released persons in Arusha remained at 11 during the reporting period.

78. Through its consistent approach of seeking consensual relocation outcomes, the Mechanism continued to engage bilaterally with States that had, in principle, indicated willingness to accept one or more of those persons. The Mechanism also supported the private relocation efforts of acquitted and released persons by engaging with relevant government officials. Furthermore, the Registrar pursued high-level exploratory contacts with other relevant States in that regard.

79. The Mechanism remains fully dependent upon the goodwill of Member States in accepting acquitted and released persons for relocation in their countries. In view of the experience to date and of the numbers of individuals concerned, it remains unlikely that the Mechanism's approach will lead to a comprehensive solution for all individuals concerned within the foreseeable future; nevertheless, the Mechanism will continue to seek to achieve appropriate bilateral outcomes with relevant Member States. The Mechanism remains grateful to the Security Council and individual Member States for their ongoing support for relocation efforts in order to resolve this long-standing challenge, which will persist until such time as all acquitted and released individuals are appropriately relocated or are deceased.

XI. Archives and records

80. In accordance with article 27 of its statute, the Mechanism has responsibility for the management, including preservation and access, of the archives of the Mechanism and the two International Tribunals, which shall be co-located with the respective branches of the Mechanism. The management of the archives includes responsibility for the preservation, arrangement and description of records, their security and the provision of access thereto.

81. Archives are by definition records deemed to be of long-term to permanent value, and their management and preservation will have to be ensured accordingly. As noted in the report of the Secretary-General mentioned above, the management of the archives is one of the Mechanism's principal functions, and that particular function will continue even after other residual functions draw to a close. In the Secretary-General's bulletin on record-keeping and the management of United Nations archives of 12 February 2007 (ST/SGB/2007/5), the archives of the United Nations are defined as "records to be permanently preserved for their administrative, fiscal, legal, historical or informational value", regardless of form or medium.

82. The archives of the International Tribunals include materials concerning: investigations, indictments and court proceedings; work relating to the detention of accused persons, the protection of witnesses and the enforcement of sentences; and documents from States, other law enforcement authorities, international and non-governmental organizations and the general public. The materials exist in both digital and physical format and consist of documents, maps, photographs, audiovisual recordings and objects. The Mechanism Archives and Records Section has been tasked with preserving the materials and facilitating the widest possible access to them, while ensuring the continued protection of confidential information, including that concerning protected witnesses.

83. The Mechanism Archives and Records Section in Arusha is currently responsible for the management of more than 2,000 linear metres of physical records of both the International Criminal Tribunal for Rwanda and the Mechanism. In accordance with established retention policies, approximately 37 per cent of the records of the Tribunal that have been transferred to the Mechanism's Arusha branch are of temporary value. The Section is responsible for the periodic disposition of those records. During the current reporting period, the destruction of 80 linear meters of records was authorized. The Mechanism will remain responsible for the management of the 1,250 linear metres of records of the Tribunal that have been designated for permanent retention, as well as the records of archival value generated by the Mechanism.

84. In The Hague, the International Tribunal for the Former Yugoslavia transferred 787 linear metres of physical records to the Mechanism during the reporting period. More than 81 per cent of the physical records have now been transferred to the Mechanism. All judicial records from the Tribunal's closed cases have been transferred. Preparations are being made for the transfer of records of the Tribunal's last two cases, *Mladić* and *Prlić et al.*, in line with the target to achieve complete transfer of judicial records by the time the Tribunal closes. Currently, the physical repositories of the Mechanism Archives and Records Section in The Hague hold a total of 2,180 linear metres of records, which represents approximately 67.5 per cent of their capacity.

85. Furthermore, during the reporting period, the Mechanism Archives and Records Section in The Hague received an additional 2.4 per cent of digital records from the International Tribunal for the Former Yugoslavia, bringing the total of

transferred digital records to 90.4 per cent. Those digital records, as well as the digital records of the International Criminal Tribunal for Rwanda that have been transferred to the Mechanism Archives and Records Section in Arusha, will be incorporated into the Mechanism's digital preservation system. This system will provide for the long-term integrity, reliability and usability of the digital archives of the International Tribunals and the Mechanism. During the reporting period, the system was tested at both branches and procedures for ingesting records were developed. The ingestion of digital records is scheduled to commence before the end of 2017.

86. The updating of the public interface to access and search judicial records of the International Criminal Tribunal for Rwanda and the Mechanism continued throughout the reporting period: approximately 35,500 judicial records are currently available to the public through the interface. In addition, the Mechanism Archives and Records Section continued to provide substantive and technical support for the development of a unified system for managing the judicial records of both International Tribunals and the Mechanism.

87. The Mechanism Archives and Records Section continued its efforts to enhance efficiency and effectiveness and to improve working practices through the development and implementation of a comprehensive archives and records management governance framework. Those efforts included the development of key archives and record-keeping policies and strategies to ensure compliance with best practices, as well as policy instruments for their transparent and consistent implementation. The Section also streamlined procedures related to the creation and management of records, including procedures for the production of publicly accessible audiovisual recordings of judicial proceedings of the Mechanism and courtroom recordings of the two International Tribunals.

88. During the reporting period, the Mechanism Archives and Records Section continued its programme of exhibitions and events to bring attention to the Mechanism's archives. The activities of the Section were thus highlighted at the Legacy Dialogues Conference held by the International Tribunal for the Former Yugoslavia in Sarajevo in June 2017 and at the Preservation and Archiving Special Interest Group Conference held in Oxford, United Kingdom, in September 2017. In addition, the Mechanism hosted two international archival meetings, facilitated on-site visits and provided expert advice and briefings to multiple groups of participants at no cost to the organization.

XII. Cooperation of States

89. Pursuant to article 28 of the statute of the Mechanism, States are required to cooperate with the Mechanism in relation to the investigation and prosecution of persons covered under the statute and to comply with orders and requests for assistance in relation to cases before the Mechanism. States are also required to respect the statute of the Mechanism owing to its adoption by the Security Council pursuant to Chapter VII of the Charter of the United Nations. The Mechanism, like the two International Tribunals, is dependent upon the cooperation of States.

90. The arrest and surrender of the remaining fugitives are a priority of the Mechanism. As described above, the Mechanism requires the full cooperation of States in relation to the ongoing fugitive-tracking operations conducted by the Prosecutor, and it continues the practice of the International Criminal Tribunal for Rwanda by calling for the assistance of relevant States in that respect. As indicated above, the Mechanism also relies on the cooperation of States for the enforcement of sentences.

91. The Mechanism continued to promote communication and cooperation with the Governments of Rwanda and of the States of the former Yugoslavia and it will continue to discuss matters of mutual interest with the Rwandan authorities, including means by which cooperation with the Government of Rwanda can be enhanced, in line with paragraph 23 of Security Council resolution 2256 (2015). In that regard, the Mechanism's Kinyarwanda Unit, established at the beginning of 2016, continued to translate trial judgments of the International Criminal Tribunal for Rwanda into Kinyarwanda. The translation of three such judgments, as well as of a number of decisions, was completed during the reporting period.

92. Representatives of the Mechanism, up to and including the level of the principals, also met with groups of victims and engaged with government officials from Rwanda and the States of the former Yugoslavia. After the closure of the International Tribunal for the Former Yugoslavia at the end of 2017, the Mechanism will assume the remaining responsibilities of that Tribunal with regard to facilitating the establishment of information and documentation centres in the region of the former Yugoslavia, in accordance with paragraph 15 of Security Council resolution 1966 (2010).

XIII. Assistance to national jurisdictions

93. The Mechanism routinely receives requests from national authorities or parties to national proceedings for assistance in relation to domestic proceedings concerning individuals allegedly implicated in the genocide in Rwanda or the conflict in the former Yugoslavia. During the reporting period, the Mechanism also received and considered requests to vary the protective measures for witnesses and disclose their testimony and evidence (see sect. III above). Comprehensive information and guidance for those who wish to request assistance are available on the Mechanism's website.

94. The data concerning requests for assistance submitted to both branches of the Mechanism continued to be centralized into one repository. The branches also continued to exchange best practices for the development of policies and training programmes with a view to maximizing operational efficiency and ensuring that the Mechanism provides effective assistance to national jurisdictions.

95. While it is not possible to foresee precisely when or how often requests for assistance from national jurisdictions may arise, it is expected that activities linked to such requests will continue concomitant to the investigation and prosecution of cases in domestic jurisdictions related to the genocide in Rwanda and the conflicts in the former Yugoslavia.

XIV. External relations

96. The External Relations Office, which has staff at both branches of the Mechanism, is tasked with the formulation of the Mechanism's external relations and communications strategy and the implementation of that strategy through external relations activities and communications services. Those activities and services include the organization of public events and exhibitions on matters of importance to the Mechanism, as well as the provision of support to the media in relation to the Mechanism's work.

97. On 17 May 2017, the External Relations Office organized a diplomatic briefing in The Hague. During the briefing, which was attended by more than 100 members of the diplomatic corps from The Hague and Brussels, the Mechanism

principals provided an overview of the Mechanism's key activities, outlined priorities in the forthcoming period and discussed other relevant issues. Informational materials on the Mechanism's work and mandate were produced for the occasion and provided to all attendees.

98. In The Hague, the External Relations Office has facilitated the attendance of the media and the general public at the retrial in the *Stanišić and Simatović* case since its proceedings commenced on 13 June 2017. The Office coordinated the logistical, technical and practical arrangements therefor and accredited some 20 regional and international broadcast and print journalists. The start of the retrial was widely broadcast and covered in the print media in the States of the former Yugoslavia and elsewhere, and the publicizing of the retrial on social media reached more than 60,000 users in June 2017 alone.

99. On 24 September 2017, the External Relations Office coordinated the Mechanism's participation in the International Open Day in The Hague, at which more than 900 visitors attended presentations by the principals, judges and staff and participated in courtroom tours and a range of other activities.

100. On 4 October 2017, the Mechanism launched "Children in Conflict", an online exhibition on violence against children during the conflicts in Rwanda and the former Yugoslavia in the 1990s. The exhibition relies on a selection of photographs, video and audio materials, transcripts and other official documents from the Mechanism's archives. The Mechanism also produced "Inside the MICT", an introductory video concerning the Mechanism's functions, as well as an online infographic on the Prosecutor's evidence collection in Arusha and The Hague.

101. In addition, the External Relations Office organized an event in Arusha on United Nations Day, on 24 October 2017, which was attended by pupils from international schools in Arusha who learned about the significance of United Nations Day and the work of the Mechanism.

102. Throughout the reporting period, the External Relations Office responded to a large number of queries from the media and researchers on cases under the Mechanism's jurisdiction, facilitated interviews with the President on major television networks and for print media and generally facilitated extensive coverage of the Mechanism's work during times of peak activity. In addition, the Office continued to coordinate meetings of the principals with the diplomatic community, civil society, the media and the public, including in Arusha, Dar es Salaam, United Republic of Tanzania, and The Hague. The Office also facilitated a number of visits by legal professionals, students and the general public to the Mechanism's premises in Arusha and The Hague.

103. As part of the efforts to further enhance awareness of the Mechanism's work by increasing the Mechanism's presence on social media platforms, the External Relations Office produced and added new content on a daily basis. Content posted on the Mechanism's Twitter account generated interaction from more than 205,000 users, while its Facebook posts reached more than 250,000 persons. The Mechanism website recorded more than 225,000 page views during the reporting period.

104. The Mechanism also continued to provide library services. The Arusha library hosted a number of delegations during the reporting period and continued to welcome researchers and members of the public from the Great Lakes region and beyond. The Arusha library processed an average of 446 requests per month, including research requests and loans. The Library and Reference Unit of the branch in The Hague continued to serve staff at both the International Tribunal for the Former Yugoslavia and the Mechanism. During the reporting period, the library processed more than 950 loans and research requests. The library further expanded

its network with other international law libraries in The Hague, as well as across the United Nations, to enhance its existing services and broaden its research capacity.

XV. Audit reports of the Office for Internal Oversight Services

105. During the reporting period, the Mechanism continued to benefit from regular audits by OIOS and the implementation of its recommendations. Three audit reports were issued during the reporting period.

106. The first audit report, issued in June 2017, assessed the effectiveness of liquidation activities at the International Criminal Tribunal for Rwanda, as requested by the General Assembly in its resolution 71/267. OIOS made one recommendation addressed to the Department of Management and another recommendation addressed to the Mechanism. The Mechanism partially accepted and implemented the latter recommendation.

107. The second audit report, issued in August 2017, focused on official travel at the International Tribunal for the Former Yugoslavia and the Mechanism. OIOS found that internal controls for the management of official travel were in place and made five recommendations, which the Tribunal and the Mechanism accepted and are implementing.

108. The third audit report was issued in September 2017 and concerned victim and witness management at the Mechanism. OIOS found that controls for the management of victim and witness issues at the Mechanism were generally adequate and made two recommendations, both of which were accepted and implemented during the course of the audit.

109. At the time of reporting, audits on the post-construction phase of the Arusha premises and on trial and appeal readiness, respectively, were being finalized. In addition, the Mechanism continued to implement recommendations made in earlier OIOS audits.

XVI. Conclusion

110. Following intensive preparatory work, the Mechanism is well placed to assume the remaining responsibilities of the International Tribunal for the Former Yugoslavia seamlessly at the end of 2017 and to fully stand on its own for the first time since the Security Council established the Mechanism in 2010. In reaching this milestone, the Mechanism has benefitted from sustained assistance from the Tribunal itself, the Office of Legal Affairs and the Department of Management of the Secretariat. It also acknowledges the vital ongoing support and cooperation from its host States, the Netherlands and the United Republic of Tanzania, as well as those of Rwanda, the States of the former Yugoslavia and individual Member States of the United Nations with respect to specific issues. This support is crucial to the continued success of the Mechanism, which maintains its focus on carrying out its mandate as a temporary institution in the most efficient and cost-effective manner possible.

Enclosure 1

International Residual Mechanism for Criminal Tribunals: staffing*

Table 1
Number of staff by branch and organ

Category	*Arusha branch*	*The Hague branch*	*Chambers*[a]	*Office of the Prosecutor*	*Registry*[b]	*Mechanism overall*
All staff	158	322	38	79	363	480
Staff on continuous posts	107	60	9	24	134	167
Staff on general temporary assistance positions	51	262	29	55	229	313
International staff (Professional and Field Service)	88	139	30	50	147	227
Local staff (General Service)	70	183	8	29	216	253

[a] Chambers includes the Office of the President. Chambers staffing data exclude judges. In the budget for the Mechanism, Chambers staff are included in the Registry.

[b] Registry staff includes: Immediate Office of the Registrar; Archives and Records Section; Witness Support and Protection; Conference Support Services; Language Support Services; Public Relations; Administration; and Security, including at the United Nations Detention Facility and the United Nations Detention Unit.

Table 2
Geographical representation

	Arusha branch	*The Hague branch*	*Mechanism overall (percentage)*[a]
Nationalities	**39**	**54**	**69**
Geographical groups			
All staff			**480**
Africa	118	18	136 (28)
Asia-Pacific	8	17	25 (5)
Eastern Europe	4	80	84 (18)
Latin America and the Caribbean	2	6	8 (2)
Western Europe and other States	26	201	227 (47)
International staff (Professional and Field Service)			227
Africa	48	7	55 (24)
Asia-Pacific	8	7	15 (7)
Eastern Europe	4	31	35 (15)
Latin America and the Caribbean	2	3	5 (2)
Western Europe and other States	26	91	117 (52)
Local staff (General Service)			253
Africa	70	11	81 (32)
Asia-Pacific	0	10	10 (4)
Eastern Europe	0	49	49 (19)
Latin America and the Caribbean	0	3	3 (1)
Western Europe and other States	0	110	110 (43)

(Footnotes on following page)

* The data in the present enclosure represent the number of staff employed as at 1 November 2017. They do not represent the full complement of approved posts and general temporary assistance funding. Such information can be found in the budget for the Mechanism for the biennium 2016–2017 (A/70/378) and the related General Assembly resolution (70/243).

(Footnotes to table 2)

[a] As percentages are rounded to the nearest percentage point, the total may not add up exactly to 100 per cent.

African Group: Burundi, Cameroon, Congo, Democratic Republic of the Congo, Egypt, Ghana, Guinea, Kenya, Lesotho, Liberia, Madagascar, Mali, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, South Africa, Sudan, Uganda, United Republic of Tanzania, Zambia and Zimbabwe.

Asia-Pacific Group: China, Cyprus, Fiji, Indonesia, Iraq, Lebanon, Nepal, Pakistan, Philippines, Republic of Korea, Samoa and Thailand.

Eastern European Group: Bosnia and Herzegovina, Bulgaria, Croatia, Czechia, Latvia, Poland, Romania, Russian Federation, Serbia, the former Yugoslav Republic of Macedonia and Ukraine.

Latin American and Caribbean Group: Bolivia (Plurinational State of), Cuba, Dominican Republic, Guatemala, Haiti and Jamaica.

Western European and Other States Group: Australia, Austria, Belgium, Canada, Denmark, Finland, France, Germany, Ireland, Israel, Italy, Netherlands, New Zealand, Sweden, Switzerland, United Kingdom of Great Britain and Northern Ireland and United States of America.

Table 3
Gender representation

	Arusha branch	*The Hague branch*	*Mechanism overall (percentage)*
Professional staff (all levels)			
Male	28	48	76 (42)
Female	12	91	103 (58)
Professional staff (P-4 and above)			
Male	13	15	28 (45)
Female	2	32	34 (55)

Table 4
Staff by organ

	Arusha branch	*The Hague branch*	*Mechanism overall*
Chambers (including the Office of the President)	7	31	38
Office of the Prosecutor	15	64	79
Registry	136	227	363
Immediate Office of the Registrar	10	17	27
Archives and Records Section	18	11	29
Witness Support and Protection	11	17	28
Conference Support Services	0	18	18
Language Support Services	6	46	52
Public Relations	2	5	7
Administration	29	49	78
Security (including at the United Nations Detention Facility and the United Nations Detention Unit)	60	64	124

Enclosure 2

International Residual Mechanism for Criminal Tribunals: revised appropriations and expenditures for the biennium 2016–2017[a]

Table 1
Revised appropriations for the biennium 2016–2017 (net of staff assessment), by branch and organ
(United States dollars)

Branch	*Post and non-post*[b]	*Chambers*	*Office of the Prosecutor*	*Registry*	*Liabilities: judges of the International Criminal Tribunal for Rwanda and after-service health insurance*	*Mechanism*
Arusha	Post		4 659 300	22 058 900		26 718 200
	Non-post	3 550 400	4 324 000	34 316 200	3 420 700	45 611 300
Subtotal		**3 550 400**	**8 983 300**	**56 375 100**	**3 420 700**	**72 329 500**
The Hague	Post		2 198 400	9 784 600		11 983 000
	Non-post	2 888 000	6 100 200	31 852 800		40 841 000
Subtotal		**2 888 000**	**8 298 600**	**41 637 400**		**52 824 000**
Overall	Post		6 857 700	31 843 500		38 701 200
	Non-post	6 438 400	10 424 200	66 169 000	3 420 700	86 452 300
Total		**6 438 400**	**17 281 900**	**98 012 500**	**3 420 700**	**125 153 500**

[b] Non-post includes all commitment items other than posts, such as general temporary assistance, travel and rental of premises.

Table 2
Expenditures (net of staff assessment) as at 1 November 2017 (per Umoja), by branch and organ
(United States dollars)

Branch	*Post and non-post*[b]	*Chambers*	*Office of the Prosecutor*	*Registry*	*Liabilities: judges of the International Criminal Tribunal for Rwanda and after-service health insurance*	*Mechanism*
Arusha	Post		4 858 774	16 262 695		21 121 469
	Non-post	424 102	1 273 466	20 199 879	2 705 805	24 603 252
Subtotal		**424 102**	**6 132 240**	**36 462 574**	**2 705 805**	**45 724 721**
The Hague	Post		2 311 434	9 179 668		11 491 102
	Non-post	2 044 554	8 382 200	37 574 783		48 001 537
Subtotal		**2 044 554**	**10 693 634**	**46 754 451**		**59 492 639**
Overall	Post		7 170 208	25 442 363		32 612 571
	Non-post	2 468 656	9 655 666	57 774 662	2 705 805	72 604 789
Total		**2 468 656**	**16 825 874**	**83 217 025**	**2 705 805**	**105 217 360**

[b] Non-post includes all commitment items other than posts, such as general temporary assistance, travel and rental of premises.

[a] The data in the present enclosure do not reflect resources provided to the Mechanism by the International Tribunal for the Former Yugoslavia through double-hatting arrangements or otherwise, as envisaged and encouraged by the Security Council in its resolutions 1966 (2010) and 2256 (2015).

Table 3

Percentage of biennial budget expended as at 1 November 2017, by branch and organ

Branch	*Post and non-post*[a]	*Chambers*	*Office of the Prosecutor*	*Registry*	*Liabilities: judges of the International Criminal Tribunal for Rwanda and after-service health insurance*	*Mechanism*
Arusha	Post		104.3	73.7		79.1
	Non-post	11.9	29.5	58.9	79.1	53.9
Subtotal		**11.9**	**68.3**	**64.7**	**79.1**	**63.2**
The Hague	Post		105.1	93.8		95.9
	Non-post	70.8	137.4	118.0		117.5
Subtotal		**70.8**	**128.9**	**112.3**		**112.6**
Overall	Post		104.6	79.9		84.3
	Non-post	38.3	92.6	87.3		84.0
Total		**38.3**	**97.4**	**84.9**	**79.1**	**84.1**

[a] Non-post includes all commitment items other than posts, such as general temporary assistance, travel and rental of premises.

Annex II

[Original: English and French]

Progress report of the Prosecutor of the International Residual Mechanism for Criminal Tribunals, Serge Brammertz, for the period from 16 May to 15 November 2017

I. Overview

1. The Prosecutor submits this eleventh progress report pursuant to Security Council resolution 1966 (2010), covering developments between 16 May and 15 November 2017.

2. During the reporting period, the Office of the Prosecutor of the Mechanism continued to focus on three priorities: (a) the expeditious completion of trials and appeals; (b) locating and arresting the eight remaining fugitives indicted by the International Criminal Tribunal for Rwanda; and (c) assisting national jurisdictions prosecuting international crimes committed in Rwanda and in the former Yugoslavia. The Office relies on the full cooperation of States to carry out its mandate in those areas successfully.

3. The Office of the Prosecutor continued to engage in intense trial and appeal work during the reporting period. The trial in the *Stanišić and Simatović* case commenced on 13 June 2017, and the Prosecution is presenting its evidence-in-chief. The Office also continued its preparation for the appeals hearings in the *Karadžić* and *Šešelj* cases. As previously reported, in addition to the trial and appeal activity in The Hague, the Office processed at both branches a high volume of other litigation arising from completed cases.

4. During the reporting period, the Office of the Prosecutor continued its efforts to reform and strengthen its fugitive tracking activities. The Office hosted a meeting of the European Task Force to review intelligence that had been gathered and identify necessary follow-up. The Office also completed the restructuring of its Fugitives and Investigations Unit, and a new tracking team leader has now been appointed. Recruitment exercises are under way for additional ad hoc tracking and investigative posts proposed in the budget for the Office for 2018–2019. The Office expresses its appreciation to the International Criminal Police Organization (INTERPOL), the Government of Rwanda and other partners for their strong support for the Office's efforts to locate and arrest the remaining fugitives.

5. Regarding national prosecutions of war crimes committed in Rwanda, the Office of the Prosecutor, within existing resources, continued to monitor cases referred to the Rwandan and French authorities, provide national justice sectors with access to the Mechanism's evidence collection and support national accountability for those crimes.

6. Regarding national prosecutions of war crimes committed in the former Yugoslavia, the Office of the Prosecutor focused its activities on ensuring continuity after the closure of the International Tribunal for the Former Yugoslavia. Authorities in the region expressed their commitment to continuing and strengthening cooperation with the Office and requested that the Office support their efforts to achieve their national war crimes strategies. In addition, the Office had open and concrete discussions on issues of concern with relevant national authorities.

7. In managing its work, the Office of the Prosecutor of the Mechanism continued to be guided by the views and requests of the Security Council set forth,

inter alia, in paragraphs 18 to 20 of its resolution 2256 (2015). The Office of the Prosecutor of the Mechanism, in conjunction with the Office of the Prosecutor of the International Tribunal for the Former Yugoslavia, continued to implement the "one office" policy to further streamline operations and reduce costs by integrating staff and resources effectively across the Offices. The Office of the Prosecutor of the Mechanism also continued the coordinated transition of so-called "other functions" from the Office of the Prosecutor of the International Tribunal for the Former Yugoslavia.

II. Trials and appeals

8. During the reporting period, the Office of the Prosecutor continued its work on one trial (*Stanišić and Simatović*) and two appeals proceedings (*Karadžić* and *Šešelj*) arising from cases transferred from the International Tribunal for the Former Yugoslavia pursuant to the statute of the Mechanism and to the transitional arrangements (see Security Council resolution 1966 (2010), annexes 1 and 2). This ad hoc judicial activity is temporary in nature. It is also expected that the Office may have to conduct appeal proceedings in the *Mladić* case following the rendering of the trial judgment by the Tribunal scheduled for 22 November 2017.

A. Update on the progress of trials

9. On 15 December 2015, the Appeals Chamber of the International Tribunal for the Former Yugoslavia reversed the trial judgment in the *Stanišić and Simatović* case and ordered the case to be retried on all counts. Pursuant to the statute of the Mechanism and to the transitional arrangements, the retrial is being conducted by the Mechanism.

10. Trial proceedings commenced on 13 June 2017. The Trial Chamber is sitting a limited schedule of three consecutive days a week owing to health concerns for one of the accused. There has also already been significant litigation as a result of the decision of the Trial Chamber to limit the Prosecution's evidence. The Office is currently exploring possible options for increasing the expeditiousness of the trial, and a proposal will be submitted to the Trial Chamber.

B. Update on the progress of appeals

1. Karadžić

11. On 24 March 2016, the Trial Chamber of the International Tribunal for the Former Yugoslavia unanimously convicted Radovan Karadžić for genocide, crimes against humanity and war crimes and sentenced him to a term of imprisonment of 40 years. On 5 December, the Office of the Prosecutor filed its appeal brief against the trial judgment. The Office identified four grounds of appeal, including against the acquittal for genocide in 1992 and the imposed sentence. The defence also filed its appeal brief, which set out 50 grounds of appeal. The Office completed the written appeals briefing in the case on 6 April 2017.

12. During the reporting period, the Office continued its preliminary preparations for the oral appeal hearing, while also engaging in a significant volume of related litigation.

2. Šešelj

13. On 31 March 2016, the Trial Chamber of the International Tribunal for the Former Yugoslavia acquitted Vojislav Šešelj by majority on all counts of the indictment. The Office of the Prosecutor filed its appeal brief on 18 July. The Office put forward two grounds of appeal, arguing that the Trial Chamber erred in law by failing to deliver a reasoned judgment and that the Trial Chamber erred in fact by acquitting the accused. The Office completed the written appeals briefing in the case on 22 February 2017.

14. During the reporting period, the Office worked intensively on its preparations for the oral appeal hearing, which is now scheduled to be held on 13 December 2017.

C. Cooperation with the Office of the Prosecutor

15. The Office of the Prosecutor continued to rely on the full cooperation of States to complete its mandate successfully. Access to documents, archives and witnesses by the Office is critical for ongoing trial and appeal proceedings of the Mechanism, as well as for locating and arresting fugitives and for witness protection.

16. During the reporting period, cooperation between the Office of the Prosecutor and Bosnia and Herzegovina, Croatia, Rwanda and Serbia remained satisfactory. The Office will require assistance in relation to trial, appeal, review and contempt proceedings, including the provision of evidence and access to witnesses, and it fully expects that its requests for assistance will be promptly and adequately processed.

17. Cooperation and support from States other than Rwanda and those of the former Yugoslavia, as well as from international organizations, remain integral to the successful completion of the activities of the Mechanism. The Office of the Prosecutor acknowledges once more the support it received during the reporting period from States Members of the United Nations and international organizations, including the United Nations and its agencies, the European Union, the North Atlantic Treaty Organization, the Organization for Security and Cooperation in Europe (OSCE) and INTERPOL.

18. The international community continued to play an important role in providing incentives for States to cooperate with the Mechanism and undertake national prosecutions of war crimes. The European Union's policy of conditionality, which links membership progress to full cooperation with the International Tribunal for the Former Yugoslavia and the Mechanism, remained a key tool for ensuring continued cooperation with the Mechanism and consolidating the rule of law in the States of the former Yugoslavia. Assistance is also increasingly needed to support the national prosecution of war crimes cases in Rwanda and the former Yugoslavia.

III. Fugitives

19. As of the end of the reporting period, eight fugitives indicted by the International Criminal Tribunal for Rwanda remained at large. The Office of the Prosecutor continued its efforts to locate and arrest the three fugitives whose cases will be tried by the Mechanism: Félicien Kabuga, Protais Mpiranya and Augustin Bizimana. The Office also continued to search for information on the whereabouts of the five fugitives who are currently expected to be brought to trial in Rwanda after their arrest: Fulgence Kayishema, Charles Sikubwabo, Aloys Ndimbati, Charles Ryandikayo and Phénéas Munyarugarama.

20. During the reporting period the Office of the Prosecutor continued its efforts to reform and strengthen its fugitive tracking activities. As indicated in the tenth progress report of the Prosecutor (S/2017/434, annex II), the Office began a necessary restructuring of its tracking team, having identified a mismatch between the structure and capacities of its tracking team and the activities needed at the present time to move the search for the remaining fugitives forward. The restructuring was completed during the reporting period. The Office established its Fugitives and Investigations Unit and a new tracking team leader was appointed. Recruitment exercises are under way for additional ad hoc tracking and investigative posts have been proposed in the budget for the Office for 2018–2019. The Office is grateful for the support of the Security Council and of the Member States for its proposed budget for 2018–2019. The Office's proposal for the Arusha branch provides for a temporary increase in resources for the Fugitives and Investigations Unit while also reclassifying fugitive tracking from a core to an ad hoc function, which clarifies the fact that activity is temporary and must be brought to a close in a reasonable time period.

21. During the reporting period, the Office of the Prosecutor focused its tracking activities on reviewing, following up and closing leads that had been generated in the past but not processed. The Office foresees a significant increase in requests for assistance to Member States in Africa and Europe and fully expects that those requests will be promptly and positively answered. The Office continued its strong cooperation with partners in Europe and hosted a meeting of the European Task Force to review intelligence that had been gathered and identify necessary follow-up. Strategies for relevant fugitives were also reviewed and updated. The Office is grateful for the assistance of its European partners and looks forward to continuing to work closely with them. The Office plans to convene the next meeting of the African Task Force in early 2018 once relevant intelligence and leads have been reviewed and further follow-up action has been identified.

22. While the Office of the Prosecutor is undertaking steps within its control to improve its tracking efforts, fugitives will only be successfully located and arrested if national authorities provide full and prompt cooperation. The Office is grateful for all efforts by members of the Security Council, individually and collectively, to remind Member States of their obligation to cooperate with the Mechanism and to emphasize the importance and desirability of locating and arresting the remaining eight fugitives. The political support provided by the Council has been critical to the arrest of fugitives in the past and will continue to be an essential element in achieving results in future.

IV. Assistance to national war crimes prosecutions

23. National prosecutions are now essential to achieve greater justice for the victims of war crimes, crimes against humanity and genocide committed in the former Yugoslavia and Rwanda. Consistent with the completion strategies of both International Tribunals, Security Council resolutions 1966 (2010) and 2256 (2015) and the statute of the Mechanism, the Office of the Prosecutor is mandated to assist and support effective national prosecutions of those crimes. In the affected countries, the effective prosecution of the crimes committed is fundamental to building and sustaining the rule of law, establishing the truth of what occurred and promoting reconciliation. Third-party States are also undertaking prosecutions against suspects who are present in their territory for crimes committed in Rwanda and the former Yugoslavia.

24. The Office continued its efforts, within existing resources, to monitor, support and advise national judicial authorities prosecuting war crimes cases arising from the conflicts in Rwanda and the former Yugoslavia. The Office maintains an ongoing dialogue with counterparts and undertakes a range of initiatives to assist and build capacity in national criminal justice sectors.

A. War crimes committed in Rwanda

25. Five cases referred by the International Criminal Tribunal for Rwanda under rule 11 bis of its Rules of Procedure and Evidence are currently being processed in the national courts of France and Rwanda. The cases against Wenceslas Munyeshyaka and Laurent Bucyibaruta were referred to France in 2007. Jean Uwinkindi, Bernard Munyagishari and Ladislas Ntaganzwa were transferred to Rwanda in 2012, 2013 and 2016, respectively. All proceedings remain ongoing.

1. Extradition of suspects of genocide

26. All those suspected of committing crimes during the Rwandan genocide must be brought to justice, whether in Rwanda or another State. Consistent with the principle of complementarity and national ownership of post-conflict accountability, prosecutions by the Rwandan justice sector in accordance with international due process and fair trial standards are in principle the most advantageous accountability mechanism. In that regard, the Office of the Prosecutor encourages the international community to continue its efforts to support and strengthen the Rwandan criminal justice sector by providing financial assistance and capacity-building as may be needed.

27. A number of States have recently extradited to Rwanda individuals suspected of genocide for trial. In November 2016, the Netherlands extradited two Rwandan nationals to Rwanda to stand trial for their alleged participation in the Rwandan genocide. The extradition followed extensive litigation in Dutch courts, with the Court of Appeal ultimately ruling that extradition was consistent with national law and international legal obligations. Similarly, in August 2017, Germany extradited one Rwandan national to Rwanda to stand trial on genocide charges. This was the first such extradition from Germany to Rwanda. The extraditions from both the Netherlands and Germany relied upon and were consistent with the determination of the International Criminal Tribunal for Rwanda and the Mechanism that the conditions for fair trials were met in Rwanda.

28. Unfortunately, during the reporting period, the High Court of Justice of England and Wales issued its decision on appeal denying the request of Rwanda for the extradition of five individuals suspected of genocide. The High Court ruled that, if extradited, the five suspects would be at risk of a flagrant denial of fair trial, and it held that the extradition of two suspects was barred by relevant national legislation. Relevant authorities will now need to ensure that the five suspects are investigated and prosecutorial decisions are taken.

29. The Office of the Prosecutor notes that Rwanda has already undertaken an extensive reform programme to ensure that international fair trial standards are met in its national courts. It was on the basis of those reforms, and an extensive evidentiary record, that the International Criminal Tribunal for Rwanda and the Mechanism determined that the conditions for fair trials were met in Rwanda. It is hoped that those international precedents will be given full consideration in national extradition proceedings. Should it be determined that additional steps are needed to enable extraditions to Rwanda, Rwanda should be informed concretely of what is

required and given the opportunity to continue to demonstrate its commitment to fair genocide trials in its courts.

2. Cases referred to France

30. Wenceslas Munyeshyaka, an ordained Catholic priest, was indicted by the International Criminal Tribunal for Rwanda in July 2005 on four counts, namely genocide, rape as a crime against humanity, extermination as a crime against humanity and murder as a crime against humanity. The indictment was referred by the Tribunal to France for trial on 20 November 2007. As previously reported, the investigation by French authorities in the *Munyeshyaka* case has not resulted in charges being brought against the suspect. On the recommendation of the Paris Public Prosecutor, the investigating judge issued a decision on 2 October 2015 to dismiss the case, which the civil parties appealed. The appeal hearing, scheduled to take place on 8 November 2017 before the Investigation Chamber of the Court of Appeals of Paris, has been postponed to 31 January 2018.

31. Laurent Bucyibaruta, the prefect of Gikongoro Prefecture, was indicted by the International Criminal Tribunal for Rwanda in June 2005 on six counts, namely direct and public incitement to commit genocide, genocide, complicity in genocide, extermination as a crime against humanity, murder as a crime against humanity and rape as a crime against humanity. The indictment was referred by the International Criminal Tribunal for Rwanda to France for trial on 20 November 2007. The investigation by French authorities has now been completed. The Office of the Prosecutor is expected to submit its final conclusions to the investigating judge by the end of 2017. It will be some months before a decision as to whether to proceed to trial can be expected.

32. The slow progress in both cases remains of significant concern to the Office of the Prosecutor. Although confirmed indictments in both cases were referred by the International Criminal Tribunal for Rwanda to France in 2007, neither case has gone to trial or been closed 10 years later. The Office of the Prosecutor recognizes the challenges the French judiciary has faced in processing those cases, in particular the lack of sufficient resources, and hopes that lessons learned from those experiences can contribute to the successful investigation and prosecution of international crimes in French courts in future.

3. Cases referred to Rwanda

33. Jean Uwinkindi, a pastor in the Pentecostal Church, was indicted by the International Criminal Tribunal for Rwanda in September 2001 on three counts, namely genocide, conspiracy to commit genocide and extermination as a crime against humanity. He was transferred to Rwanda for trial on 19 April 2012, and the trial commenced on 14 May 2012. On 30 December 2015, the High Court issued its trial judgment, convicting Mr. Uwinkindi and sentencing him to life imprisonment. Appeals proceedings are under way.

34. Bernard Munyagishari, a local leader in the *Mouvement républicain national pour la démocratie et le développement* party, was indicted by the International Criminal Tribunal for Rwanda in September 2005 on five counts, namely conspiracy to commit genocide, genocide, complicity in genocide, murder as a crime against humanity and rape as a crime against humanity. He was transferred to Rwanda for trial on 24 July 2013. On 20 April 2017, the High Court issued its trial judgment, convicting Mr. Munyagishari of genocide and murder as a crime against humanity, acquitting him of rape as a crime against humanity and sentencing him to life imprisonment. Appeals proceedings are under way.

35. Ladislas Ntaganzwa, mayor of Nyakizu commune, was indicted by the International Criminal Tribunal for Rwanda in June 1996, with the amended indictment charging him with five counts, namely genocide, direct and public incitement to commit genocide, extermination as a crime against humanity, murder as a crime against humanity and rape as a crime against humanity. He was transferred to Rwanda for trial on 20 March 2016. Trial proceedings are now under way.

B. War crimes committed in the former Yugoslavia

1. Denial of crimes and non-acceptance of established facts

36. The Office of the Prosecutor of the International Tribunal for the Former Yugoslavia and the Office of the Prosecutor of the Mechanism have regularly reported that the denial of crimes and non-acceptance of facts established in the judgments of the Tribunal are widespread throughout the region. Convicted war criminals are often glorified as heroes. Students in different countries, as well as within Bosnia and Herzegovina itself, are taught widely different and irreconcilable versions of the recent past. The Office has expressed its grave concern in this regard and called for urgent attention to those issues.

37. Unfortunately, developments during the reporting period confirmed again that the challenges are severe. The Office of the Prosecutor must register its deep concern about recent events and statements in relation to General Vladimir Lazarević, who was convicted for crimes against humanity by the International Tribunal for the Former Yugoslavia and sentenced to 14 years of imprisonment. In 2016, the Office critically noted that Lazarević had been returned by official government plane to Serbia after his release from prison and given a hero's welcome attended by the then Ministers of Defence and of Justice. During the reporting period, the current Serbian Minister of Defence publicly praised General Lazarević and denied the crimes that were committed by Serbian forces in Kosovo in 1999. General Lazarević was also invited to give a lecture to the Serbian Military Academy, where he gave remarks entitled "Heroism and Humanity of Serbian Soldiers in Defence against the NATO Aggression and in Anti-Terrorist Operations in Kosovo 1998/99". In response to the concerns raised about those events and statements, Serbian authorities pointed to the fact that Lazarević had served his sentence and argued that convicted war criminals were similarly glorified in other countries.

38. The denial of crimes and the glorification of convicted war criminals are certainly not limited to Serbia. In his twenty-second completion strategy report to the Security Council (S/2014/827, annex II), the Prosecutor of the International Tribunal for the Former Yugoslavia equally expressed its serious concern about earlier, similar events. In June 2014, Dario Kordić received a public hero's welcome in Zagreb upon his early release from prison, with officials present at the event. In September 2013, upon his early release from prison, Momčilo Krajišnik received a public hero's welcome in Pale, which was organized by his political party. More recently, the Prosecutor orally briefed the Council that, in June 2017, an ultranationalist singer who had been banned in several countries performed at a benefit concert in Mostar for the six accused convicted at trial in the *Prlić et al.* case. Civil society also strongly protested against those and other events.

39. Messrs. Lazarević, Kordić and Krajišnik were all convicted for horrific crimes against humanity and war crimes. All three, as senior officials and commanders, participated in ethnic cleansing campaigns harming millions and devastating communities. The mentality that can regard those men as heroes is difficult to understand.

2. Regional judicial cooperation

40. Judicial cooperation among the countries of the former Yugoslavia is essential to ensure that those responsible for war crimes are held accountable. Many suspects may not be present in the territory where they are alleged to have committed such crimes and cannot be extradited to the territorial State for prosecution. The Office of the Prosecutor of the International Tribunal for the Former Yugoslavia and the Office of the Prosecutor of the Mechanism have repeatedly called attention to the negative trends in regional judicial cooperation in war crimes justice.

41. In his ninth progress report (S/2016/975, annex II), the Prosecutor of the Mechanism noted that the political environment was not supportive of regional judicial cooperation and called upon all political and governmental officials in the region to act responsibly and refrain from politicizing war crimes proceedings. Unfortunately, those negative trends continued during the reporting period, as exemplified by reactions to the acquittal at trial of Naser Orić by the Court of Bosnia and Herzegovina. While some Serbian officials made restrained comments, the Minister of Justice of Serbia claimed that the decision had been motivated by ethnic bias and demonstrated that the State Court would not provide justice for Serb victims. The President of the Republika Srpska likewise claimed that the judges had shown ethnic bias and demanded that all Bosnian Serbs leave the Office of the Prosecutor and the Court of Bosnia and Herzegovina. Yet, on the same date, as the acquittal in the *Orić* case, the Court entered a conviction at trial for the rape of a Bosnian Serb victim, which passed without comment. Similarly, and as stated in the tenth progress report of the Prosecutor of the Mechanism, the Office of the Prosecutor of Bosnia and Herzegovina has commenced important trials against senior Bosnian Croat officials for crimes against humanity against Bosnian Serb victims in Orasje and against a senior Commander of the Army of Bosnia and Herzegovina for war crimes against Bosnian Serb victims.

42. While war crimes cases inevitably produce strong emotions, and acquittals can be difficult to accept, there are clear reasons why responsible officials should refrain from politicizing them. As a result of the public statements prejudging the responsibility of Mr. Orić, further appeal proceedings in Bosnia and Herzegovina, whatever the outcome, will be cast in doubt, and any further criminal proceeding in Serbia against him will inevitably be tainted and likely assessed as unfair. Such prejudgment by public officials has previously led to the denial of Serbia's extradition requests, and those statements will likely be seen in foreign courts in a similar way. In addition, such statements have a significant chilling effect on regional judicial cooperation, with the perverse consequence that fewer Serb victims may receive justice in future. Finally, the politicization of justice in one area or country has inevitably an impact on public trust in the judiciary and the rule of law, as well as in other areas and in other countries.

43. Recognizing the need for confidence-building measures, the Office of the Prosecutor of the Mechanism engaged during the reporting period with chief prosecutors and national authorities in Bosnia and Herzegovina and Serbia. The Office can report that there was general acknowledgement that regional judicial cooperation should be strengthened to secure justice for more victims. In a positive development, the chief prosecutors of those two countries have expressed their desire to improve their mutual cooperation on concrete cases and have committed to exploring how to build upon past successes in order to further strengthen cooperation between their offices. The Office of the Prosecutor welcomes this development and has committed to providing its full support and assistance. The Office hopes to be able to report progress in future reports.

3. Bosnia and Herzegovina

44. The Office of the Prosecutor held positive discussions with the Presidency of Bosnia and Herzegovina and the Acting Chief War Crimes Prosecutor about continued cooperation with the Mechanism and its Office of the Prosecutor. The Acting Chief Prosecutor underlined her desire for even closer cooperation and collaboration with the Office, including through assistance on concrete cases, strategic support and activities to transfer the lessons learned at the International Tribunal for the Former Yugoslavia. The Office of the Prosecutor of the Mechanism committed to continuing to support the work of the Office of the Prosecutor of Bosnia and Herzegovina, in particular in pursuing the mutual goal of implementing the national war crimes strategy successfully.

45. During the reporting period, the Office of the Prosecutor of Bosnia and Herzegovina only filed a limited number of indictments; however, it expects to file many more in important complex cases before the end of the year. At the same time, the revision of the national war crimes strategy has not yet been completed by the supervisory body. The Office of the Prosecutor of the Mechanism underlines that important progress has been made over the past few years in the work of the Office of the Prosecutor of Bosnia and Herzegovina and it encourages further progress to prevent any regression. The Office of the Prosecutor of Bosnia and Herzegovina has committed to continuing to undertake reforms in its management, policies and practices in order to improve the efficiency and effectiveness of its work, including by implementing recommendations made in the report commissioned by OSCE.[1] The Office of the Prosecutor of the Mechanism will continue to work with the Office of the Prosecutor of Bosnia and Herzegovina and other prosecution offices in Bosnia and Herzegovina to achieve further progress in holding those responsible for war crimes accountable. This work will include the remaining so-called "rules of the road" cases initially reviewed by the Office of the Prosecutor of the International Tribunal for the Former Yugoslavia, which have been jointly identified as an important priority for action.

46. The Prosecutor of the Mechanism and the Acting Chief War Crimes Prosecutor held a joint meeting in November with victims' representatives from all ethnic groups and areas of Bosnia and Herzegovina. The victims' representatives explained their expectations and issues of concern, while the staff of the Office of the Prosecutor of Bosnia and Herzegovina provided information on progress made with cases and answered questions. All victims' representatives underlined their desire for a stronger rule of law, justice for more victims and progress in reconciliation. The Office of the Prosecutor of the Mechanism commends the Acting Chief Prosecutor for that important initiative, which helps to build public trust in the work of the State-level judiciary and the national processing of war crimes cases.

4. Croatia

47. The Office of the Prosecutor must regrettably report to the Security Council that the Government of Croatia continues to interfere politically in the justice process, with the result that a large number of war crimes cases against Croatian nationals are frozen. Despite the direct engagement of the Office with Croatian authorities and the Office of the State Attorney, very little progress has been achieved over the past two years. There can now be no question that the policies of the Government of Croatia are having the effect of promoting impunity throughout the region at the expense of victims, who deserve justice.

[1] Joanna Korner, *Processing of War Crimes at the State Level in Bosnia and Herzegovina*. Available from www.osce.org/bih/247221?download=true.

48. As previously reported, the Government of Croatia adopted in 2015 a conclusion not to provide regional judicial cooperation in certain cases involving Croatian nationals accused of war crimes and crimes against humanity. That conclusion remains in force and constitutes a clear political interference in war crimes justice. No satisfactory explanations have been provided for the maintenance of that policy, and indeed none could be provided, in particular by a Member State of the European Union. The Government of Croatia should withdraw that conclusion immediately and allow the justice process to continue without further interference. The Office of the Prosecutor intends to continue to raise this matter at the highest levels in Zagreb and, if necessary, Brussels, until corrective action is taken.

49. The Office of the Prosecutor is equally not satisfied with the lack of evident progress in the investigation and prosecution of the four category II case files that should be transferred to the Office of the State Attorney of Croatia from the Office of the Prosecutor of Bosnia and Herzegovina. The Office of the Prosecutor of the Mechanism reiterates its willingness to provide full support and assistance to the Office of the State Attorney in those cases, including making expert staff with case-specific knowledge of the crimes and suspects available. The Office of the Prosecutor of the Mechanism will convene a meeting with the Office of the State Attorney of Croatia and the Office of the Prosecutor of Bosnia and Herzegovina in the near future to discuss concrete issues so that those cases may move forward.

5. Serbia

50. The Office of the Prosecutor of the Mechanism held open and concrete discussions with the President, the Prime Minister and the Chief War Crimes Prosecutor of Serbia about outstanding issues and the continued cooperation of Serbian authorities with the Mechanism and its Office of the Prosecutor. It was agreed that Serbia would continue to strengthen its cooperation with the Office and support regional judicial cooperation in war crimes justice. The Office of the Prosecutor of the Mechanism committed to continuing to support the work of the Office of the War Crimes Prosecutor, in particular in pursuing the mutual goal of implementing the national war crimes strategy of Serbia successfully.

51. As stated in the ninth and tenth progress reports of the Prosecutor, Serbian authorities made a number of commitments, which were not honoured in a timely manner, to demonstrate action on issues previously raised by the Office of the Prosecutor. Those issues were discussed again. No progress has been made with the transfer of the accused of contempt to the International Tribunal for the Former Yugoslavia. One issue has been addressed fully, namely the appointment of the new Chief War Crimes Prosecutor after a delay of one year and a half. The Office of the Prosecutor took note that a step had been taken towards the implementation of the national war crimes strategy with the first meeting of the steering body to oversee the strategy, on 19 September 2017. Serbian authorities committed to the completion of the recruitment of a deputy prosecutor in the Office of the War Crimes Prosecutor by the end of 2017, which would be a step towards ensuring sufficient resources for that Office in accordance with the national war crimes strategy. The Serbian authorities also committed to addressing outstanding issues in relation to the War Crimes Investigative Service by the end of 2017.

52. The *Djukić* case, raised in previous reports of the Office of the Prosecutor of the International Tribunal for the Former Yugoslavia and of the Office of the Prosecutor of the Mechanism, was the subject of intense discussions. The arguments provided by the Serbian authorities for failing to enforce Mr. Djukić's sentence were not convincing. The Office of the Prosecutor remains of the view that Serbia should execute the sentence expeditiously in accordance with international norms, which

would not prevent Mr. Djukić in any way from then raising any complaints before the Bosnian judiciary or, ultimately, the European Court of Human Rights.

53. Overall, progress with regard to war crimes justice in Serbia remains insufficient, and impunity for many well-established crimes remains the norm. At the time of reporting, only one new war crimes indictment had been confirmed in 2017, while a number of important cases had not progressed because of defence challenges based on the long delay in the appointment of the Chief War Crimes Prosecutor. The new Chief War Crimes Prosecutor only assumed her position in June 2017. Significant efforts will be required to move war crimes justice in Serbia in a more positive direction, and the work of the Office of the War Crimes Prosecutor should be assessed moving forward. In that regard, the development of an objective prosecutorial strategy focused on achieving more independent and impartial accountability in Serbia, in particular in complex cases against senior- and mid-level suspects, will be a critical first step. The Office of the War Crimes Prosecutor must meet high expectations for meaningful justice, and the Office of the Prosecutor of the Mechanism is committed to continuing to provide the support and assistance necessary.

C. Access to information and evidence

54. With the closure of the International Criminal Tribunal for Rwanda and the approaching completion of the mandate of the International Tribunal for the Former Yugoslavia, further accountability for crimes committed in Rwanda and the former Yugoslavia now depends on national justice sectors. The Office of the Prosecutor of the Mechanism seeks to support national judicial authorities prosecuting those crimes, in particular through the provision of access to evidence and information.

55. The Office possesses extensive evidence and invaluable expertise that can greatly benefit national justice efforts. The collection of evidence related to the crimes committed in the former Yugoslavia comprises more than 9 million pages of documents and thousands of hours of audio and video records, most of which were not introduced into evidence in any proceeding of the International Tribunal for the Former Yugoslavia and are thus only available from the Office of the Prosecutor. The collection of evidence related to the crimes committed in Rwanda comprises more than 1 million pages of documents. The Office's staff have unique insight into the crimes and the cases that can assist national prosecutors in preparing and proving their indictments.

56. During the reporting period, the Office of the Prosecutor continued to receive a high volume of requests for assistance from national judiciaries and international organizations.

57. In relation to Rwanda, the Office of the Prosecutor received three requests for assistance from two Member States. Two of the requests have been processed. In total, the Office handed over 4,846 pages of documentation.

58. In relation to the former Yugoslavia, the Office of the Prosecutor received 169 requests for assistance from six Member States and two international organizations. One hundred and twenty-three requests for assistance were submitted by authorities in Bosnia and Herzegovina, 18 by Croatia, 3 by Montenegro and 10 by Serbia. In total, the Office handed over 3,581 documents comprising more than 84,850 pages and 131 audio and video records. In addition, the Office filed submissions in relation to 25 requests for variation of witness protective measures concerning proceedings in Bosnia and Herzegovina and in Montenegro. The Office continued to receive a high volume of requests for assistance during the reporting period and expects to receive an even larger volume in future.

59. The joint European Union-Mechanism training project for national prosecutors and young professionals continued during the reporting period. Liaison prosecutors from Bosnia and Herzegovina, Croatia and Serbia are working with the Office of the Prosecutor to support the transfer of evidence and expertise to their home offices and to national prosecutions of war crimes committed in the former Yugoslavia. Similarly, young professionals from those countries are doing internships at the Office, supporting ongoing Mechanism trials and appeals. The Office is grateful to the European Union for its consistent support for this important project and for recognizing the ongoing need for building capacities in national justice sectors.

D. Capacity-building

60. During the reporting period, the Office of the Prosecutor continued its efforts, within existing resources, to build capacity in national judiciaries prosecuting war crimes. Its capacity-building efforts focused on the Great Lakes region and East Africa, the former Yugoslavia and global initiatives. Strengthening national capacities supports the principle of complementarity and national ownership of post-conflict accountability.

61. Upon request for assistance from partners in Rwanda, Uganda and the United Republic of Tanzania to improve the capacity of national judiciaries to prosecute war crimes, the Office conducted an advanced training in Kigali on the prosecution of international crimes. The training, which was aimed at domestic prosecutors from East Africa, was well-received by the 40 participants and continued the successful training programmes that the Office has conducted in East Africa. Another training is already planned in Kampala in mid-2018.

62. During the reporting period, the Office of the Prosecutor of the Mechanism and the Office of the Prosecutor of the International Tribunal for the Former Yugoslavia jointly published a book entitled *Prosecuting Conflict-related Sexual Violence at the ICTY* in Bosnian/Croatian/Serbian. This publication was launched during the Legacy Dialogues Conference held by the Tribunal in Sarajevo in June 2017. The Office also continued its efforts to develop a complementary training programme to help to raise the awareness of practitioners in the States of the former Yugoslavia and elsewhere about the key insights and messages of the book.

63. Finally, on 30 and 31 October 2017, the Office of the Prosecutor of the Mechanism conducted a peer-to-peer workshop in Sarajevo to facilitate the filing of applications for variation of witness protection measures with the Tribunal and the Mechanism. The workshop was attended by approximately 50 prosecutors and legal staff from the Office of the Prosecutor of Bosnia and Herzegovina, the Office of the Federal Prosecutor of the Federation of Bosnia and Herzegovina, offices of cantonal prosecutors and the Office of the Special Prosecutor of Montenegro. Participants concluded that the training had meaningfully improved their skills in handling witness protection measures and requested further concrete trainings and peer-to-peer engagement with the Office of the Prosecutor of the Mechanism on practical issues in their work.

64. Within the limits of its operational capacity and existing resources, the Office of the Prosecutor of the Mechanism will continue to engage with training providers and with donors to ensure that appropriate practical training on investigative and prosecutorial techniques in war crimes justice is made available. The Office expresses its deep gratitude to partners, including the European Union, the International Association of Prosecutors, the Nuremberg Principles Academy, OSCE and the Government of Switzerland for providing financial, logistical and other support to enable the Office's capacity-building and training efforts.

E. Missing persons and victim compensation

65. In the Prosecutor's meetings with victims associations, the lack of information concerning missing family members continued to be consistently identified as one of the most important outstanding issues. The search for and exhumation of mass graves and the subsequent identification of the remains need to be accelerated as it is essential for surviving family members and fundamental to reconciliation in Rwanda and in the States of the former Yugoslavia. Victims from all sides of the conflicts must be identified.

66. The Office of the Prosecutor also encourages its national counterparts to actively work within existing legal frameworks to incorporate victim compensation claims into criminal trial proceedings where possible. Procedures should be streamlined to assist war crimes victims in obtaining redress and to discourage the imposition of unnecessary burdens upon victims.

V. Other residual functions

67. During the reporting period, the Office of the Prosecutor continued to perform its responsibilities with respect to other residual functions, namely the protection of victims and witnesses, contempt of court and false testimony, the enforcement of sentences, the review of judgments and the management of records and archives.

68. The volume of litigation before the Mechanism arising from completed cases continued to be higher than expected. During the reporting period, the Office of the Prosecutor responded to a large number of requests for variation of protective measures and motions for access to case files. The Office continued to investigate and litigate a review proceeding at the Arusha branch, while also responding to a number of additional motions in relation to review proceedings. The Office also continued to provide information in relation to the enforcement of sentences of persons convicted by the two International Tribunals. Those developments put a strain on the Office's limited resources, in particular at the Arusha branch. The Office was nonetheless able to make sufficient resources available, in particular through its "one office" policy. The Office will continue to monitor the volume of review motions and will report as necessary.

69. As previously reported, the Office of the Prosecutor has proposed two amendments to the Rules of Procedure and Evidence of the Mechanism in relation to the enforcement of sentences, the protection of witnesses and assistance to national jurisdictions. Critically, the Office has proposed to amend rule 151 concerning general standards for granting pardon, the commutation of sentence or early release to establish a programme for conditional early release. The Office is not satisfied with the fact that convicted persons continue to be released almost automatically after serving only two-thirds of their sentences. It is further deeply distressing, in particular to the victims, that those granted early release often deny the crimes and their criminal responsibility immediately upon returning home. The proposed amendments would address those legitimate concerns by creating a conditional early release programme, which would align the Mechanism's rules with best practices and established sentencing principles. The Office trusts that the judges will take a decision that is consistent with the interests of justice.

70. Consistent with Security Council resolution 1966 (2010) and article 6 of the transitional arrangements, the Office of the Prosecutor of the Mechanism continued during the reporting period the coordinated transition of so-called "other functions" from the Office of the Prosecutor of the International Tribunal for the Former

Yugoslavia. The transition will be completed by the end of 2017, when the final posts of the Office of the Prosecutor of the Tribunal are abolished.

VI. Management

A. Overview

71. The Office of the Prosecutor is committed to managing its staff and resources in line with the Security Council's instruction that the Mechanism be a small, temporary and efficient structure. The Office continues to be guided by the views and requests of the Security Council set forth, inter alia, in paragraphs 18 to 20 of its resolution 2256 (2015).

72. An important component of the efforts of the Office of the Prosecutor in that respect is the "one office" approach to integrate the staff and resources of the Office of the Prosecutor of the Mechanism and of the Office of the International Tribunal for the Former Yugoslavia for the period of their coexistence. Under the policy, all Prosecution staff are available to "double-hat" so that they may be flexibly assigned to work for either the Mechanism or the Tribunal, depending on operational requirements and their case-related knowledge. During the reporting period, staff of the Office of the Prosecutor assisted the Office of the Prosecutor of the Tribunal with meeting its obligations in the *Mladić* and *Prlić et al.* cases, while staff of the Office of the Prosecutor of the Tribunal assisted the Office of the Prosecutor of the Mechanism in relation to the *Karadžić* and *Šešelj* appeals and the *Stanišić and Simatović* trial.

73. The Office of the Prosecutor of the Mechanism takes note of the projections for the duration of the Mechanism's functions prepared by the President of the Mechanism and provided in his report. In relation to trial and appeal activities, the Office is committed to continuing to meet all imposed deadlines and will further endeavour to explore all reasonable options within its control to expedite the completion of that work.

B. Audit reports

74. There are no outstanding audit recommendations for the Office at this time.

VII. Conclusion

75. During the reporting period, the Office of the Prosecutor engaged in intensive efforts to locate and arrest the remaining eight fugitives indicted by the International Criminal Tribunal for Rwanda and continued its efforts to reform and strengthen its tracking activities. The Office underscores its commitment to arresting the remaining fugitives as soon as possible. State cooperation will be essential to achieve that goal, and the Office appreciates the support that has already been provided.

76. The Office continued to litigate one trial and two appeals before the Mechanism, both of which were transferred from the International Tribunal for the Former Yugoslavia in accordance with the statute of the Mechanism and the transitional arrangements. In addition to the trial and appeal activity in The Hague, the Office processed at both branches a high volume of other litigation arising from completed cases. Using the "one office" approach, the Office will continue to allocate and manage its resources flexibly in order to comply with all imposed deadlines.

77. Significant challenges remain with respect to national prosecutions of war crimes committed in the former Yugoslavia and Rwanda. Regarding war crimes committed in Rwanda, while there has been progress in the cases referred to Rwanda, cases referred to France are still pending 10 years after the original referrals. Regarding war crimes committed in the former Yugoslavia, the Office focused its activities during the reporting period on ensuring continuity after the forthcoming closure of the International Tribunal for the Former Yugoslavia. In addition, the Office had open and concrete discussions on issues of concern with relevant national authorities.

78. In all of its endeavours, the Office relies upon and gratefully acknowledges the support of the international community, and especially that of the Security Council.

United Nations S/2017/972

Security Council

Distr.: General
17 November 2017

Original: English

Letter dated 17 November 2017 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

I have the honour to inform you that, as President of the Security Council for the month of November 2017, Italy has scheduled an open debate on 21 November on the theme "Maintenance of international peace and security: trafficking in persons in conflict situations".

Italy has prepared the concept note transmitted herewith (see annex). I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(*Signed*) Sebastiano **Cardi**
Ambassador

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Annex to the letter dated 17 November 2017 from the Permanent Representative of Italy to the United Nations addressed to the Secretary-General

Concept note for the Security Council ministerial open debate on the theme "Maintenance of international peace and security: trafficking in persons in conflict situations", to be held on 21 November 2017

An increase in the number of victims of human trafficking and in patterns of exploitation by terrorist groups and organized crime has led the United Nations and its Member States to take action. Moreover, the extended geographical scope of the scourge is a matter of deep concern.

Acknowledging the complex nature of human trafficking, with specific reference to its recurrence in situations of conflict and international crisis, in December 2015, the Security Council held its first thematic briefing on trafficking in persons in situations of conflict. In the statement by the President of the Security Council adopted on that occasion (S/PRST/2015/25), the Security Council requested the Secretary-General to report to the Council 12 months thereafter on the progress made in countering trafficking in persons through existing mechanisms. On the basis of the consequent report of the Secretary-General (S/2016/949), the Council held a ministerial open debate on 20 December 2016 on trafficking in persons in conflict situations and adopted resolution 2331 (2016) unanimously.

Attesting to its increasing attention to the topic, the Security Council held a ministerial open debate on the theme "Trafficking in persons in conflict situations: forced labour, slavery and other similar practices" on 15 March 2017.

Experience has shown beyond any doubt that armed conflict and humanitarian crises amplify the risk for people to fall prey to traffickers, in particular for the most vulnerable persons, namely women, children, refugees, migrants and internally displaced persons. The dual nature of human trafficking as both a cause and a consequence of conflict and instability has been widely recognized, as has its increasingly worrisome link to terrorist groups' activities and transnational organized crime. That connection has been confirmed in a number of recent reports, including the above-mentioned report on trafficking in persons in conflict situations, the report of the Secretary-General on trafficking in persons in armed conflict pursuant to Security Council resolution 2331 (2016) (S/2017/939), the most recent global report on trafficking in persons of the United Nations Office on Drugs and Crime, published in December 2016, and the reports of the Special Rapporteur on trafficking in persons, especially women and children (A/HRC/32/41 and A/HRC/32/41/Corr.1 and A/71/303).

As highlighted in those documents, the purpose of trafficking in persons in areas affected by humanitarian crises, armed conflict and post-conflict situations can include various forms of exploitation, including sexual exploitation, forced labour, the removal of organs, slavery and similar practices. Trafficking is also used as a tactic of terror by some terrorist groups, including Islamic State in Iraq and the Levant (ISIL, also known as Da'esh), Boko Haram, Al-Shabaab and the Lord's Resistance Army. In addition to representing a serious violation of human rights, which, in conflict situations, may also constitute war crimes and, in other specific circumstances, crimes against humanity, human trafficking has become a critical source of financing for terrorist groups and transnational crime networks.

Implementation of Security Council resolution 2331 (2016)

In adopting resolution 2331 (2016) in December 2016, the Security Council fully recognized the connection among trafficking in persons, sexual violence, terrorist groups and transnational organized crime, and the urgency of curbing illicit financial flows relating to those activities.

A clear interconnection also exists between trafficking in persons and large movements of migrants and refugees.

The vulnerability of persons in conflict situations and post-conflict situations to various forms of exploitation associated with human trafficking has also been acknowledged, with a special focus placed on sexual violence against women and girls, children in armed conflict and persons displaced by armed conflict, including refugees.

In that light, in resolution 2331 (2016), Member States were called upon to not only adopt a robust victim-centred approach, but also hold accountable those responsible for such crimes by criminalizing their activities and prosecuting them. For that purpose, the Security Council called upon Member States to ratify or accede to the United Nations Convention against Transnational Organized Crime and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and to fully implement them, through tailored national strategies and enhanced international cooperation.

Moreover, the Security Council urged the various components of the United Nations system to work together in a more integrated manner in order to counter human traffickers and disrupt their networks effectively, by, inter alia, expressing the intention to invite the Special Representative of the Secretary-General on Sexual Violence in Conflict and the Special Representative of the Secretary-General for Children and Armed Conflict to brief the sanctions committees, inviting Member States to provide specific training to all peacekeeping personnel to be deployed to United Nations peace operations, incorporating the risk of human trafficking into humanitarian response strategies and activities and strengthening the assessment of financial flows relating to trafficking through existing mechanisms and bodies, namely the Financial Action Task Force and Task Force-style regional bodies.

As requested in resolution 2331 (2016), in his report, the Secretary-General presented options for underpinning the efforts of the Security Council, its subsidiary bodies, United Nations peacekeeping operations and special political missions and United Nations agencies to combat trafficking in persons while also minimizing the risk of contributing to it through procurement and supply chains.

Questions for discussion

Considering the full toolkit that the United Nations has at its disposal to eradicate the scourge of trafficking in persons, the Secretary-General, in his briefing, offered the Security Council the opportunity to consider the following questions:

(a) How to better match the capacity to uncover human trafficking networks and trace related financial flows to the planning and implementation of countering strategies, for instance, by making full strategic use of the data collection, analysis and technical assistance provided by the United Nations Office on Drugs and Crime and by fostering cooperation between the United Nations and regional organizations in that area;

(b) How to ensure the coherence and consistency of the United Nations system and the actions of Member States throughout the "peace continuum" in

tackling human trafficking- and organized crime-related activities in conflict, humanitarian crises and post-conflict situations;

(c) In line with the 2030 Agenda for Sustainable Development and the sustaining peace agenda, how to mainstream human trafficking-related considerations more effectively into the wider spectrum of United Nations action aimed at addressing the root causes of poverty and human rights violations and at sustaining peace and security;

(d) How to ensure the provision of enhanced and effective humanitarian, legal and financial aid to victims of trafficking, and the fullest involvement in that endeavour of civil society, non-governmental organizations and the private sector, including in the countries of destination of victims of trafficking;

(e) How to strengthen the capacity of the United Nations system on the ground to prevent, identify, address and fight human trafficking;

(f) How to encourage Member States and better assist them in acceding to and fully implementing relevant international instruments, including the United Nations Convention against Transnational Organized Crime and its protocols, in particular its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, and in improving cooperation in the field of international law enforcement;

(g) Human trafficking and smuggling thrive on conflict and instability because they take advantage of undermined State authority. To what extent do the activities of traffickers and smugglers counter the efforts to uphold the authority of the State and advance political solutions to crises? How do trafficking and smuggling affect the political dynamics in the countries concerned? How do they affect the social fabric in the countries concerned, and how can local stakeholders be mobilized to face and address the challenges that they present?

Format

The format of the meeting is that of an open ministerial debate of the Security Council under the presidency of Italy.

Outcome

A draft resolution to follow up on Security Council resolution 2331 (2016) has been proposed and is under consideration.

Briefers

- The Secretary-General
- The Executive Director of the United Nations Office on Drugs and Crime
- The Special Rapporteur on trafficking in persons, especially women and children, Maria Grazia Giammarinaro

United Nations S/2017/973

Security Council

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Albania, Andorra, Austria, Bahrain, Belgium, Belize, Plurinational State of Bolivia, Bulgaria, Canada, Croatia, Cyprus, Denmark, Equatorial Guinea, Estonia, Ethiopia, Finland, France, Germany, Greece, Hungary, Iceland, Indonesia, Iraq, Ireland, Israel, Italy, Japan, Kazakhstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Montenegro, Morocco, Netherlands, Norway, Peru, Poland, Portugal, Qatar, Republic of Korea, Romania, San Marino, Senegal, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, Thailand, The former Yugoslav Republic of Macedonia, Tunisia, Turkey, Ukraine, United States of America and Uruguay: draft resolution

The Security Council,

Recalling Presidential Statement 2015/25, Resolution 2331 (2016),

Taking note of the Secretary-General's report S/2017/939,

Recalling its primary responsibility for the maintenance of international peace and security, in accordance with the Charter of the United Nations,

Taking note of the efforts undertaken by United Nations entities and international and regional bodies to implement Resolution 2331 (2016), including the development of a Thematic Paper on trafficking in persons in conflict situations, the establishment of the Task Team on anti-trafficking in humanitarian action within the Global Protection Cluster, the development by UNODC of a structured system of data collection on trafficking in persons in the context of armed conflict, including through the publication of the 2016 Global Report on Trafficking in Persons, and the inclusion by the Counter-Terrorism Committee Executive Directorate, within the existing mandate, under the policy guidance of the Counter Terrorism Committee, and in close cooperation with UNODC and other relevant entities, in its country assessments, as appropriate, of information regarding Member States efforts to address the issue of trafficking in persons where it is committed for the purpose of supporting terrorism, including through the financing of or recruitment for the commission of terrorist acts,

Recalling the United Nations Convention against Transnational Organized Crime, and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which includes the first internationally agreed definition of the crime of trafficking in persons and provides a framework to effectively prevent and combat trafficking in persons, and *further recalling* the United Nations Global Plan of Action to Combat Trafficking in Persons,

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Recognizing that trafficking in persons in areas affected by armed conflict and post-conflict situations can be for the purpose of various forms of exploitation, including exploitation of the prostitution of others or other forms of sexual exploitation, forced labour, slavery or practices similar to slavery, servitude or the removal of organs; *further recognizing* that trafficking in persons in armed conflict and post-conflict situations can also be associated with sexual violence in conflict and that women and children in situations of armed conflict and persons forcibly displaced by armed conflict, including refugees, can be especially vulnerable to trafficking in persons in armed conflict and to these forms of exploitation,

Recalling the Political Declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by the General Assembly on 27 September 2017, and *further welcoming* the resolve of Member States expressed therein to take decisive concerted action to end trafficking in persons, wherever it may occur,

Reiterating deep concern that despite its condemnation of acts of trafficking in persons in areas affected by armed conflict, such acts continue to occur,

Reiterating its solidarity with victims of trafficking in persons in armed conflict and post-conflict situations *and noting* the importance of providing them with appropriate care, assistance and services for their physical, psychological and social recovery, rehabilitation and reintegration, in full respect of their human rights and in a manner that takes full account of the extreme trauma they have suffered and the risk of further victimization and stigmatization,

Reaffirming that trafficking in persons in the context of armed conflict, especially women and girls, cannot and should not be associated with any religion, nationality or civilization,

Recalling resolutions 2359 (2017) and 2374 (2017), which express concern over the serious challenges posed by different forms of transnational organized crime, including trafficking in persons and the smuggling of migrants in the Sahel region, and *recalling also* resolutions 2240 (2015) and 2380 (2017), which express concern that the situation in Libya is exacerbated by the smuggling of migrants and human trafficking into, through and from the Libyan territory, which could provide support to other organized crime and terrorist networks in Libya,

Reiterating the critical importance of all Member States fully implementing relevant Security Council resolutions, including resolutions 2195 (2014), 2253 (2015), 2199 (2015) and 2368 (2017), which express concern that terrorists benefit from transnational organized crime in some regions, including from trafficking in persons, as well as 2242 (2015), which expresses concern that acts of sexual violence and gender-based violence are known to be part of the strategic objectives and ideology of certain terrorist groups used as a tactic of terrorism and an instrument to increase their finances and their power through recruitment and the destruction of communities; and *further reiterating* the connection between trafficking in persons, sexual violence and terrorism and other organized criminal activities, which can prolong and exacerbate conflict and instability or intensify its impact on civilian populations,

Recognizing the need to continue to foster a global partnership against trafficking in persons among all stakeholders, including inter alia, through bilateral, multilateral and regional processes and initiatives,

Recognizing that trafficking in persons entails the violation or abuse of human rights and *underscoring* that certain acts or offences associated with trafficking in persons in the context of armed conflict may constitute war crimes; and *recalling further* the responsibilities of States to end impunity and to prosecute those

responsible for genocide, crimes against humanity, war crimes as well as other crimes and the need for States to adopt appropriate measures within their national legal systems for those crimes for which they are required under international law to exercise their responsibility to investigate and prosecute,

Condemning in the strongest terms continued gross, systematic and widespread abuses of human rights and violations of international humanitarian law by ISIL (also known as Da'esh); and abductions of women and children by ISIL, ANF, and associated individuals, groups, undertakings, and entities and *expressing outrage* at their exploitation and abuse, including rape and sexual violence, forced marriage and enslavement by these entities, *encouraging* all State and non-state actors with evidence to bring it to the attention of the Council, along with any information that human trafficking and related forms of exploitation and abuse may support the perpetrators financially, *emphasizing* that States are required to ensure that their nationals and persons within their territory do not make available any funds, financial assets or economic resources for ISIL's benefit, and *noting* that any person or entity who transfers funds to ISIL directly or indirectly in connection with such exploitation and abuse would be eligible for listing by the Security Council Committee established pursuant to resolutions 1267 (1999), 1989 (2011), 2253 (2015) and 2368 (2017) concerning ISIL (Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities,

Recognizing that persons affected by armed conflict and fleeing conflict are at great risk of being subjected to trafficking in persons, and stressing the need to prevent and identify instances of trafficking in persons among those forcibly displaced or otherwise affected by armed conflict,

Expressing grave concern over the high numbers of women and children subjected to trafficking in armed conflicts, and *recognizing* that acts of trafficking in persons are often associated with other violations of applicable international law and other abuses, including those involving recruitment and use, abduction and sexual violence including, inter alia, rape, sexual slavery, forced prostitution and forced pregnancy; and *calling on* all Member States to hold perpetrators accountable and to assist victims in their recovery and reintegration,

Reiterating its grave concern over the abduction of children in situations of armed conflict, the majority of which are perpetrated by non-State armed groups, recognizing that abductions occur in a variety of settings, including schools, further recognizing that abduction often precedes or follows other abuses and violations of applicable international law against children, including those involving recruitment and use, killing and maiming, as well as rape and other forms of sexual violence, which may amount to war crimes or crimes against humanity, and calling on all Member States to hold perpetrators of abductions accountable,

Expressing deep concern over the heightened vulnerability to exploitation and abuse of children forcibly displaced by armed conflict, particularly when separated from their families or caregivers, *and underlining* the need to ensure protection of all unaccompanied children who are victims of or those vulnerable to trafficking in persons through their prompt identification and immediate assistance taking into account their specific needs,

Condemning all violations and abuses against children in armed conflict, including trafficking in persons and *recalling* all its resolutions on children and armed conflict that call for the protection of children, and in particular Resolution 1261 (1999) as well as Resolution 1612 (2005), establishing the Monitoring and Reporting Mechanism on children and armed conflict,

Noting measures taken by UN peacekeeping and special political missions in accordance with their mandates, to assist host States in exercising their primary responsibility to prevent and combat trafficking in persons, also *noting* measures taken by Member States to provide pre-deployment training on trafficking in persons to personnel that will be deployed in UN peacekeeping missions and *encouraging* further action in this area,

Noting the initiative by Department of Peacekeeping Operations, the Department of Field Support and the United Nations Office on Drugs and Crime to develop a training module on human trafficking and smuggling of migrants for in mission training of police personnel in selected peacekeeping missions, where applicable,

Underscoring the need for improved collection, also through relevant data base systems managed by international organizations, including UNODC and INTERPOL, of timely, objective, accurate and reliable data on trafficking in persons in situations of conflict, disaggregated by sex, age and other relevant factors, as well as on financial flows associated with trafficking in persons,

Reaffirming the need to ensure organization and coherence in the efforts of the United Nations System to address trafficking in persons in areas affected by armed conflict or in post conflict situations and *further recognizing* the need to continue to work towards an enhanced comprehensive and coordinated approach to prevent and combat trafficking, which can contribute to sustainable peace and stability,

1. *Reaffirms its condemnation* in the strongest terms of all instances of trafficking in persons, especially women and children, who make up the vast majority of all victims of trafficking in persons in areas affected by armed conflicts, and *stresses* that trafficking in persons undermines the rule of law and contributes to other forms of transnational organized crime, which can exacerbate conflict and foster insecurity and instability and undermine development;

2. *Urges* Members States to consider, as a matter of priority, ratifying or acceding to, and for States Parties to effectively implement, the United Nations Convention against Transnational Organized Crime and its supplementing Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, as well as all relevant international instruments;

3. *Calls upon* Member States to reinforce their political commitment to and improve their implementation of applicable legal obligations to criminalize, prevent, and otherwise combat trafficking in persons, and to strengthen efforts to detect and disrupt trafficking in persons, including implementing robust victim identification mechanisms and providing access to protection and assistance for identified victims, including in relation to areas affected by armed conflict; *underscores* in this regard the importance of international law enforcement cooperation, including with respect to investigation and prosecution of trafficking cases and, in this regard, *calls* for the continued support of the United Nations Office on Drugs and Crime (UNODC) in providing technical assistance to Member States upon request;

4. *Further calls upon* Member States, where appropriate, to review, amend and implement anti-trafficking and related legislation to ensure that all forms of trafficking in persons, including when it is committed in situations of armed conflict or by armed and terrorist groups are addressed, and to consider establishing jurisdiction to end the impunity of offenders in line with art. 15 of the UN Convention against Transnational Organized Crime;

5. *Also calls upon* Member States to step up their efforts to investigate, disrupt and dismantle networks engaging in trafficking in persons in areas affected

by armed conflict and to take all appropriate measures to collect, preserve and store evidence of human trafficking;

6. *Calls upon* Member States to combat crimes that might be connected with trafficking in persons in areas affected by armed conflict, such as money-laundering, corruption, the smuggling of migrants and other forms of organized crime, including by making use of financial investigations in order to identify and analyse financial intelligence, as well as by reinforcing regional and international operational law enforcement cooperation;

7. *Calls upon* Member States to strengthen compliance with international Anti-Money Laundering/Combatting the Financing of Terrorism standards and increase capacity to conduct proactive financial investigations to track and disrupt human trafficking and identify potential linkages with terrorism financing;

8. *Urges* Member States, while addressing trafficking in persons in areas affected by armed conflicts, to adopt a multi-dimensional approach that includes incorporating information on the risks of trafficking in persons into school curricula and training programs;

9. *Encourages* Member States to increase efforts to collect, analyse and share through appropriate channels and arrangements and consistent with international and domestic law data relating to financial flows associated with human trafficking and the extent and nature of financing of terrorism activities through human trafficking activities, and to provide, where applicable, Counter-Terrorism Committee Executive Directorate (CTED) and the Analytical Support and Sanctions Monitoring Team with relevant information pertaining to linkages between human trafficking and terrorist financing;

10. *Reiterates* its condemnation of all acts of trafficking, particularly the sale or trade in persons undertaken by the "Islamic State of Iraq and the Levant" (ISIL, also known as Da'esh), including of Yazidis and other persons belonging to religious and ethnic minorities, and of any such trafficking in persons crimes and other violations and abuses committed by Boko Haram, Al-Shabaab, the Lord's Resistance Army, and other terrorist or armed groups for the purpose of sexual slavery, sexual exploitation, and forced labour, and *underscores* the importance of collecting and preserving evidence relating to such acts in order to ensure that those responsible can be held accountable;

11. *Requests* the Analytical Support and Sanctions Monitoring Team, when consulting with Member States, to continue including in their discussions the issue of trafficking in persons in areas of armed conflict and the use of sexual violence in armed conflict as it relates to ISIL (also known as Da'esh), Al-Qaida and associated individuals, groups, undertakings and entities and to report to the Security Council Committee established pursuant to resolutions 1267 (1999), 1989 (2011), 2253 (2015) and 2368 (2017) on these discussions as appropriate;

12. *Requests* the Counter-Terrorism Committee Executive Directorate (CTED), within its existing mandate, under the policy guidance of the Counter-Terrorism Committee (CTC), and in close cooperation with UNODC and other relevant entities, to increase its efforts to include in CTED's country assessments, as appropriate, information regarding Member States efforts to address the issue of trafficking in persons where it is committed for the purpose of supporting terrorism, including through the financing of or recruitment for the commission of terrorist acts;

13. *Calls upon* Member States to enhance the capabilities of professionals interacting with persons forcibly displaced by armed conflict, including refugees, such as law enforcement, border control officials and criminal justice systems

personnel of refugee and displaced persons reception facilities, to identify victims or persons vulnerable to trafficking, to adopt gender and age sensitive assistance, including adequate psychosocial support and health services, regardless of their participation in criminal investigations and proceedings;

14. *Recognizes* the need to strengthen the identification, registration, protection, assistance for forcibly displaced persons, including refugees and stateless persons, who are victims of trafficking or at risk of being trafficked;

15. *Encourages* Member States to use refugee registration mechanisms to assess vulnerability and identify potential victims of trafficking as well as their specific assistance needs, and in this regard *encourages* Member States to develop informative material to explain to victims of trafficking in persons who are refugees their rights and avenues for assistance, so as to enable them to engage with relevant authorities and access services and psychosocial support that are available to them;

16. *Encourages* Member States, in particular transit and destination States receiving persons forcibly displaced by armed conflict, to develop and use early-warning and early-screening frameworks of potential or imminent risk of trafficking in persons to proactively and expediently detect victims and persons vulnerable to trafficking, with special attention to women and children, especially those unaccompanied;

17. *Urges* Member States thoroughly to assess the individual situation of persons released from the captivity of armed and terrorist groups so as to enable prompt identification of victims of trafficking, their treatment as victims of crime and to consider, in line with domestic legislation, not prosecuting or punishing victims of trafficking for unlawful activities they committed as a direct result of having being subjected to trafficking;

18. *Strongly condemns* violations of international law, especially those which affect children in situations of armed conflict, including those involving killing and maiming, sexual violence, abduction and forced displacement, recruitment and use of children in armed conflict, attacks against schools and hospitals, denial of humanitarian access and trafficking in persons;

19. *Urges* Member States to identify children who are victims of trafficking and those who are unaccompanied or separated from their families and caregivers, to ensure, where relevant, their timely registration and to consider their particular protection needs, including, as appropriate, by referring them to the relevant child protection authorities regardless of their immigration status;

20. *Recognizes* the importance of providing timely and appropriate reintegration and rehabilitation assistance to children affected by armed conflict, while ensuring that the specific needs of girls and boys as well as children with disabilities are addressed, including access to health care, psychosocial support, and education programmes that contribute to the well-being of children and to sustainable peace and security and *encourages* relevant international organizations and civil societies organizations to assist Member States' efforts in this regard;

21. *Urges* Member States to refrain from the use of administrative detention of children, especially those victims of trafficking in persons, for violations of immigration laws and regulations, unless as a measure of last resort, in the least restrictive setting, for the shortest possible period of time, under conditions that respect their human rights and in a manner that takes into account, as a primary consideration, the best interest of the child and *encourages* them to work towards the ending of this practice;

22. *Requests* the Secretary-General to further explore, as appropriate, links between the trafficking of children in conflict situations and the grave violations against children affected by armed conflict as determined by the United Nations, with a view to addressing all violations and abuses against children in armed conflict;

23. *Welcomes* further briefings on trafficking in persons in armed conflict, as necessary, by relevant United Nations entities, including the Executive Director of UNODC, UNHCR, and other international and regional bodies such as IOM, and *encourages* Member States to provide to UNODC information on victims of trafficking from areas affected by conflict or victims trafficked into conflict areas for inclusion within the existing reporting obligations;

24. *Requests the Secretary-General* to ensure that the thematic paper on trafficking in persons in conflict situations developed by UNODC in consultation with relevant United Nations agencies and other international bodies is disseminated within the UN system, and *encourages* relevant United Nations agencies and entities to use it in their respective activities in accordance with their mandates and develop their capability to assess and respond to situations of trafficking in persons in armed conflict;

25. *Expresses* its intention, to give greater consideration, where appropriate, to how peacekeeping and special political missions, can assist host States in exercising their primary responsibility to prevent and combat trafficking in persons, and *requests* the Secretary-General to ensure that assessments of country situations conducted upon the Security Council's request on such missions include, where relevant, anti-trafficking research and expertise;

26. *Requests* the Secretary-General, in consultation with Member States, to ensure, where appropriate, that training of relevant personnel of special political and peacekeeping missions include, on the basis of a preliminary assessment and taking also into account the protection and assistance needs of the victims of trafficking in persons, specific information enabling them, within their mandates, to identify, confirm, respond to and report on situations of trafficking in persons;

27. *Reiterates* its intention to integrate the issue of trafficking in persons in areas affected by armed conflict into the work of relevant Security Council Sanctions Committees where in accordance with their mandates, and *expresses its intention* to invite all relevant Special Representatives of the Secretary-General, including the Special Representative of the Secretary-General for Children and Armed Conflict and the Special Representative of the Secretary-General on Sexual Violence in Conflict, to brief these sanctions committees, as necessary, in accordance with the Committee's rules of procedure and to provide relevant information, including, if applicable, the names of individuals involved in the trafficking in persons who meet the committees' designation criteria;

28. *Also requests* the Secretary-General to ensure that members of the Monitoring Groups, teams and panels supporting the work of relevant sanctions committees build their technical capacity to identify and report on instances of trafficking in persons encountered in the discharge of their duties and in accordance with their respective mandates, and *further requests* the Secretary-General to ensure that the Monitoring and Reporting Arrangements on sexual violence in areas affected by armed conflict systematically collect data on conflict-related trafficking in persons for the purpose of sexual violence or exploitation;

29. *Invites* the Secretary-General to ensure that the work of the Investigative Team established pursuant to Resolution 2379 (2017) is informed by relevant anti-trafficking research and expertise and that its efforts to collect evidence on

trafficking in persons offences are gender-sensitive, victim centred, trauma-informed, rights-based and not prejudicial to the safety and security of victims;

30. *Calls upon* Member States to cooperate with the Investigative Team established pursuant to Resolution 2379 (2017), including through mutual arrangements on legal assistance, where necessary and appropriate, and in particular to provide it with any relevant information as appropriate they may possess pertaining to its mandate under that resolution;

31. *Calls upon* United Nations system organizations to enhance transparency in their procurement and supply chains and step up their efforts to strengthen protections against trafficking in persons in all United Nations procurement and to that effect request major suppliers to establish and implement anti-human trafficking policies and disclose information on measures taken to counter trafficking in persons in their operations and supply chains;

32. *Welcomes* efforts aimed at developing a coordinated response within the United Nations System to prevent and counter trafficking in persons in situations of armed conflict and to protect its victims, and *requests* all United Nations entities involved in combatting trafficking in persons to actively participate in the regular work of existing mechanisms, especially the Inter-Agency Coordination Group against Trafficking in Persons which was established to foster coordination among United Nations entities and other international organizations;

33. *Invites the Secretary-General* to include in relevant regular reports on special political and peacekeeping missions, information on efforts undertaken, within their mandates, to assist the host-States institutions in preventing and combating trafficking in persons and in protecting and assisting victims of trafficking, in particular women and children;

34. *Requests* the Secretary-General to follow-up on the implementation of this resolution and report back to the Security Council on progress made within 12 months;

35. *Decides* to remain actively seized of this matter.

United Nations A/72/597–S/2017/974

General Assembly
Security Council

Distr.: General
20 November 2017

Original: English

General Assembly
Seventy-second session
Agenda item 44
Question of Cyprus

Security Council
Seventy-second year

Letter dated 16 November 2017 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 16 November 2017, addressed to you by the Representative of the Turkish Republic of Northern Cyprus, Mehmet Dânâ (see annex).

I should be grateful if the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 44, and of the Security Council.

(*Signed*) Ferdiun H. **Sinirlioğlu**
Permanent Representative

17-20615 (E) 271117

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Annex to the letter dated 16 November 2017 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

Upon instructions from my Government, I am writing in response to the letter dated 31 October 2017 addressed to you by the Greek Cypriot representative in New York and circulated as a document of the General Assembly and of the Security Council (A/72/550-S/2017/912), which yet again contains false assertions similar to those made in his previous letters. In order to set the record straight, I would like to bring the following to your kind attention.

At the outset, regarding the claims of so-called "infringements of international air traffic regulations" and "violations of the national airspace of the Republic of Cyprus by Turkey", I wish, once again, to reiterate that flights within the sovereign airspace of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the relevant authorities of the State, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or right of say whatsoever. The civil aviation authority of the Turkish Republic of Northern Cyprus is the sole competent authority to provide air traffic and aeronautical information services within its own national airspace. As for the false assertion regarding "illegally issued" notices to airmen, it must be underlined that activities within the Ercan advisory airspace that require notices to airmen are carried out by the relevant authorities of the Turkish Republic of Northern Cyprus in accordance with article 3 of the Convention on International Civil Aviation (Chicago Convention).

Similarly, the claims in the letter regarding the Turkish Cypriot ports is also baseless, given the fact that the Greek Cypriot administration has no jurisdiction or right of say over Northern Cyprus. Furthermore, this claim ignores the present realities on the ground, namely, the existence of two independent self-governing States on the island of Cyprus, each exercising sovereignty and jurisdiction within its respective territory.

As to the repeated false allegations regarding Ercan Airport in the North, it should once again be underlined that the technologically up-to-date Ercan area control centre and airport in North Cyprus have been providing regular, reliable and safe air traffic services since the Greek Cypriot refusal in 1977 to provide air traffic services in the northern part of the island, in line with its isolation policy that has been imposed on the Turkish Cypriot people. Ever since, all flights within the sovereign airspace of the Turkish Republic of Northern Cyprus have taken place with the full knowledge and permission of the Civil Aviation Department of the Turkish Republic of Northern Cyprus, over which the Greek Cypriot administration in South Cyprus has no jurisdiction or control. Furthermore, I would like to stress that the allegation regarding the interference of radiofrequencies is also totally baseless.

Moreover, the isolation imposed on the Turkish Cypriots, which the Greek Cypriot side attempts to perpetuate by encouraging the international community to deem all air and sea ports in Northern Cyprus "illegal", is in complete contravention of international law, as well as the call made by the then Secretary-General, Kofi Annan, in his report to the Security Council dated 28 May 2004 (S/2004/437), in which he clearly stated, "I would hope they [members of the Security Council] can give a strong lead to all States to cooperate both bilaterally and in international bodies to eliminate unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development, deeming such a move as consistent with Security Council resolutions 541 (1983) and 550 (1984)".

The legislation of the Turkish Republic of Northern Cyprus on aeronautical safety meets all standards and recommendations of the International Civil Aviation

Organization, providing safe and swift navigation of aircraft landing at or taking off from Ercan Airport and using airspace of the Turkish Republic of Northern Cyprus. All airports in Northern Cyprus are in full conformity with international standards, and necessary investments have been made to keep up with the developing technology. The number of air traffic controllers has been increased in accordance with the increasing number of flights over the years, and the Ercan area control centre is in regular and close cooperation with the Ankara area control centre in order to ensure the safe conduct of all flights in the region. In 2016 alone, the number of passengers who used Ercan Airport stood at 3,628,887, while this number is expected to be around 3,900,000 in 2017. Moreover, in 2016, 27,109 planes used Ercan Airport for arrival and departure and 210,789 planes used the Ercan advisory airspace, and these numbers are expected to be around 28,080 and 225,000 respectively in 2017. In that regard, it must also be stressed that the Turkish Cypriot side is committed to upholding the highest standards in the field of air navigation safety in full conformity with the Chicago Convention of 1944, and that it is ready to cooperate with the Greek Cypriot authorities on this very important issue.

Availing myself of the present opportunity, I would like to call upon the Greek Cypriot side to discontinue such counterproductive and outdated rhetoric. Moreover, the Greek Cypriot administration should once again be reminded that its counterpart is, and always has been, the Turkish Cypriot side, not Turkey.

I should be grateful if the present letter could be circulated as a document of the General Assembly, under agenda item 44, and of the Security Council.

(*Signed*) Mehmet **Dânâ**
Representative
Turkish Republic of Northern Cyprus

United Nations A/72/608–S/2017/975

General Assembly
Security Council

Distr.: General
21 November 2017

Original: English

General Assembly
Seventy-second session
Agenda item 113 (c)
Elections to fill vacancies in principal organs: election of five members of the International Court of Justice

Security Council
Seventy-second year

Identical letters dated 20 November 2017 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the General Assembly and the President of the Security Council

I have the honour to write to you with regard to the elections taking place in the General Assembly and the Security Council to fill the fifth vacancy for the position of judge of the International Court of Justice.

As you are aware, following seven meetings of the General Assembly and the Security Council, on 9 and 13 November, at which several rounds of voting took place, the position remains unfilled. Judge Christopher Greenwood obtained the required absolute majority of votes in the Council, while Judge Dalveer Bhandari obtained the required absolute majority of votes in the Assembly.

The current deadlock is unlikely to be broken by further rounds of voting. We have therefore consulted our candidate, Sir Christopher Greenwood, who has confirmed that his candidature for re-election to the International Court of Justice should be withdrawn.

In taking this step, we have borne in mind the close relationship that the United Kingdom and India have always enjoyed, and will continue to enjoy, and the fact that both candidates fulfil the requirements for the position and have already served the Court diligently, with impartiality and independence.

The United Kingdom thanks Christopher Greenwood for his service and pays tribute to his outstanding contribution to the working of the Court and to the development of international law.

As you are also aware, the Statute of the International Court of Justice provides, in its Article 12, that if one or more seats remain unfilled after the third meeting, a joint conference may be formed at the request of either the General Assembly or the Security Council for the purpose of choosing one name for each seat still vacant to submit to the Assembly and the Council for their respective acceptance.

17-20713 (E) 221117

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This mechanism has not been used in relation to an election for the International Court of Justice. However, the fact that it has not been used does not mean that it should not be used when the need arises. It is the view of the United Kingdom that this election would have been an ideal opportunity to use the mechanism envisaged by the Court's own Statute to break the current deadlock. It is also the view of the United Kingdom, as it is of other delegations, that some thought needs to be given to this procedure before the next International Court of Justice election in order that it might be used when it is clearly needed.

The Government of the United Kingdom expresses its gratitude to the countries that supported the candidature of Christopher Greenwood, both in the General Assembly and in the Security Council, during these elections.

(*Signed*) Matthew **Rycroft**

United Nations S/2017/976

Security Council

Distr.: General
20 November 2017

Original: English

Letter dated 20 November 2017 from the Chargé d'affaires a.i. of the Permanent Mission of Libya to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you a statement released on 19 November 2017 by the Ministry of Foreign Affairs of Libya following a media outlet report issued earlier this week on slave auctions in Libya (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Elmahdi S. **Elmajerbi**
Ambassador
Chargé d'affaires a.i.

17-20633 (E) 221117 221117

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Annex to the letter dated 20 November 2017 from the Chargé d'affaires a.i. of the Permanent Mission of Libya to the United Nations addressed to the President of the Security Council

[Original: Arabic]

Statement of the Media Office of the Ministry of Foreign Affairs of the Government of National Accord, issued in Tripoli on 19 November 2017

The Libyan Ministry of Foreign Affairs has followed with deep concern media reports about the exploitation of illegal migrants for forced labour by certain criminals and depraved persons. The Ministry expresses its rejection and condemnation of such inhumane practices, which are incompatible with the culture and heritage of the Libyan people. It stresses that what has been published in the media in this regard is under investigation by the relevant Libyan agencies. If these allegations prove true, all those involved will be punished. Anyone implicated in such despicable crimes will be investigated, prosecuted and punished under the law.

The Ministry also affirms its full and unequivocal commitment to the provisions of the Charter of the United Nations in this regard, and stresses that it will vigorously enforce national legislation that criminalizes trafficking in human beings and slavery.

At the same time, Libya is well aware that certain regional parties want to turn it into a destination for the absorption and relocation of migrants. It has already warned repeatedly that superficial and ineffective efforts to address this problem are hampering its efforts to curb this phenomenon and opening the way for organized criminal gangs to engage in criminal activities. Libya also finds it extremely odd that it is being classified as a zone of conflict and instability by the very parties that are trying to turn it into a haven for large numbers of migrants. That raises a number of questions for us.

The Ministry of Foreign Affairs warns of the gravity of the current situation, which, in the absence of a spirit of collective responsibility, is being exploited by criminal gangs to use forced labour to generate financial resources for their criminal and terrorist plots. They are acting as middlemen to smuggle migrants to the other side of the Mediterranean or enlist them as mercenaries in the ranks of the terrorists. We call on the international community to join together in a spirit of joint responsibility and cooperation to help Libya confront this imminent threat to its social fabric and cultural heritage, and to humankind as a whole. That will require adopting an effective approach that addresses the causes of migration instead of allowing certain parties to slander Libya's good name in an effort to cover up their inability to deal with this problem and achieve imaginary gains that are at odds with the reality that we are living today.

The Ministry stresses that the Government and people of the State of Libya are standing up against such inhumane practices. It recalls that many years ago, Libya called for proactive approaches to address this phenomenon, including building institutional capacity and developing projects in countries of origin to combat illegal migration, migrant smuggling and trafficking in human beings. Such measures were called for by the joint Africa-European Union resolution adopted in Tripoli in 2006. Libya calls on its regional and international friends and partners to cooperate proactively and constructively to address these unfortunate phenomena with responsibility, wisdom and boldness.

United Nations A/72/600–S/2017/977

General Assembly
Security Council

Distr.: General
29 November 2017

Original: English

General Assembly
Seventy-second session
Agenda item 34 (a)
Prevention of armed conflict

Security Council
Seventy-second year

Letter dated 20 November 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith a comment of the Ministry of Foreign Affairs of Ukraine on a "visit" of the President of the Russian Federation, Vladimir Putin, to the Autonomous Republic of Crimea, Ukraine (see annex).

I would appreciate your kind assistance in having the present letter and its annex distributed as a document of the General Assembly, under agenda item 34 (a), and of the Security Council.

(*Signed*) Volodymyr **Yelchenko**
Ambassador
Permanent Representative

17-21198 (E) 011217

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Annex to the letter dated 20 November 2017 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General

Comment of the Ministry of Foreign Affairs of Ukraine on a "visit" of the President of the Russian Federation, Vladimir Putin, to the Autonomous Republic of Crimea, Ukraine

On 18 November 2017 President of the Russian Federation Vladimir Putin paid a "visit" to the Autonomous Republic of Crimea, temporarily occupied by the Russian Federation.

Ukrainian side considers this "visit" as well as all other trips of Russian officials to the temporarily occupied Autonomous Republic of Crimea and city of Sevastopol as a flagrant violation of sovereignty and territorial integrity of Ukraine by the Russian Federation, blatant and demonstrative neglect by the Russian side of universally recognized norms of the international law.

The Autonomous Republic of Crimea and the city of Sevastopol are and will remain an integral part of Ukraine in its internationally recognized borders. It is recognized by the whole civilized world, which already provided its relevant assessment of illegal actions of the Russian Federation by adoption of resolutions by the United Nations organs and bodies, the Council of Europe, OSCE, other international organizations as well as by imposing wide restrictive measures (sanctions) against the occupying Power.

United Nations S/2017/978

Security Council

Distr.: General
27 November 2017
English
Original: Russian

Letter dated 20 November 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith information bulletins from the Russian Federation Ministry of Defence on the status of implementation of the Memorandum on the creation of de-escalation areas in the Syrian Arab Republic for the period 15-20 November 2017 (see annex).

I should be grateful if you would arrange for this letter and its annex to be circulated as an official document of the Security Council.

(*Signed*) V. **Nebenzia**

17-21041 (E) 281117 281117

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Annex to the letter dated 20 November 2017 from the Permanent Representative of the Russian Federation to the United Nations addressed to the Secretary-General

Information bulletin from the Russian Federation Ministry of Defence on the status of implementation of the Memorandum on the creation of de-escalation areas (15 November 2017)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the Memorandum on the creation of de-escalation areas in the Syrian Arab Republic signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The situation in the de-escalation areas has been assessed as stable.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported five incidents of gunfire in the following Governorates: two in Aleppo, one in Homs, one in Damascus and one in Ladhiqiyah.

The Turkish representative office has reported five violations in Damascus Governorate.

Most incidents of small arms being fired indiscriminately have been reported in areas controlled by fighters of the terrorist groups Nusrah Front and the Islamic State in Iraq and the Levant (ISIL).

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours, the Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic carried out one humanitarian operation in Assan, in Aleppo Governorate (300 food parcels, 578 packages of bread). The total weight of the humanitarian aid was 1.7 tons.

In total, 1,677 humanitarian operations have been carried out, with a total weight of 2,292.371 tons.

One humanitarian convoy was sent through the United Nations to al-Rastan, in Homs Governorate, consisting of 46 trucks of the United Nations, the International Committee of the Red Cross and the Syrian Arab Red Crescent (products, medicines) with a total weight of 228 tons.

Over the past 24 hours, medical assistance has been provided to 172 residents.

In total, medical assistance has been provided to 64,276 residents.

Reconciliation of opposing sides

No ceasefire regime agreements were signed over the past 24 hours.

The number of populated areas that have joined the reconciliation process remains unchanged at 2,269.

Negotiations on joining the ceasefire regime continued with armed opposition groups in Aleppo, Damascus, Hama, Homs and Qunaytirah Governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.

Information bulletin from the Russian Federation Ministry of Defence on the status of implementation of the Memorandum on the creation of de-escalation areas (16 November 2017)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the Memorandum on the creation of de-escalation areas in the Syrian Arab Republic signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The situation in the de-escalation areas has been assessed as stable.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported one incident of gunfire in Aleppo Governorate.

The Turkish representative office has reported five violations in Damascus Governorate.

Most incidents of small arms being fired indiscriminately have been reported in areas controlled by fighters of the terrorist groups Nusrah Front and ISIL.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours, the Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic has carried out one humanitarian operation in Rasr. t-Zabib, in Rif Damascus Governorate, consisting of 500 humanitarian packages (tinned meat, sugar, rice). The total weight of the humanitarian aid was 2.15 tons.

In total, 1,678 humanitarian operations have been carried out, with a total weight of 2,294.521 tons.

Two humanitarian convoys were sent through the United Nations:

To Tall al-Dhahab, in Dar'a Governorate, consisting of two United Nations refrigerated trucks (products, medicines) with a total weight of 12 tons;

To Tayyibah, in Dar'a Governorate, consisting of 24 United Nations refrigerated trucks (products, medicines) with a total weight of 134 tons.

Over the past 24 hours, medical assistance has been provided to 83 residents.

In total, medical assistance has been provided to 64,359 residents.

Reconciliation of opposing sides

Over the past 24 hours, one ceasefire agreement was signed with Mab'ujah in Hama Governorate.

The number of populated areas that have joined the reconciliation process has increased to 2,270.

Negotiations on joining the ceasefire regime continued with armed opposition groups in Aleppo, Damascus, Hama, Homs and Qunaytirah Governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.

Information bulletin from the Russian Federation Ministry of Defence on the status of implementation of the Memorandum on the creation of de-escalation areas (17 November 2017)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the Memorandum on the creation of de-escalation areas in the Syrian Arab Republic signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The situation in the de-escalation areas has been assessed as stable.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported eight incidents of gunfire in the following Governorates: two in Aleppo, two in Homs, two in Damascus, one in Ladhiqiyah and one in Dar'a.

The Turkish representative office has reported one violation in Aleppo Governorate.

Most of the incidents of small arms being fired indiscriminately have been reported in areas controlled by fighters of the terrorist groups Nusrah Front and ISIL.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours, the Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic has carried out one humanitarian operation in Maryamayn in Homs Governorate; humanitarian packages with a total weight of 2.2 tons were delivered to the local population.

In total, 1,679 humanitarian operations have been carried out, with a total weight of 2,296.7 tons.

Over the past 24 hours, medical assistance has been provided to 210 residents.

In total, medical assistance has been provided to 64,569 residents.

Reconciliation of opposing sides

Over the past 24 hours, one ceasefire regime agreement was signed with Umm al-Qasab in Homs Governorate.

The number of populated areas that have joined the reconciliation process has increased to 2,271.

Negotiations on joining the ceasefire regime continued with armed opposition groups in Aleppo, Hama, Homs, Damascus and Qunaytirah Governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.

Information bulletin from the Russian Federation Ministry of Defence on the status of implementation of the Memorandum on the creation of de-escalation areas (18 November 2017)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the Memorandum on the creation of de-escalation areas in the Syrian Arab Republic signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The situation in the de-escalation areas has been assessed as stable.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported five incidents of gunfire in the following Governorates: one in Aleppo, one in Damascus and three in Homs.

The Turkish representative office has reported four violations in the following Governorates: one in Aleppo and three in Damascus.

Most of the incidents of small arms being fired indiscriminately have been reported in areas controlled by fighters of the terrorist groups Nusrah Front and ISIL.

Provision of humanitarian aid to the population of the Syrian Arab Republic

The Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic carried out no humanitarian operations over the past 24 hours.

In total, 1,679 humanitarian operations have been carried out.

The total weight of humanitarian aid delivered is 2,296.9 tons.

Russian military doctors provided medical assistance to two people.

Reconciliation of opposing sides

Over the past 24 hours, two ceasefire regime agreements were signed with Mardaghanah and Ja'arah in Aleppo Governorate.

The number of populated areas that have joined the reconciliation process has increased to 2,273.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.

Information bulletin from the Russian Federation Ministry of Defence on the status of implementation of the Memorandum on the creation of de-escalation areas (19 November 2017)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the Memorandum on the creation of de-escalation areas in the Syrian Arab Republic signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The situation in the de-escalation areas has been assessed as stable.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported six incidents of gunfire in the following Governorates: three in Ladhiqiyah, two in Homs and one in Qunaytirah.

The Turkish representative office has not reported any violations.

Most of the incidents of small arms being fired indiscriminately have been reported in areas controlled by fighters of the terrorist groups Nusrah Front and ISIL.

Provision of humanitarian aid to the population of the Syrian Arab Republic

Over the past 24 hours, the Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic carried out two humanitarian operations in Safirah, Aleppo Governorate and Shaqraniyah, Dar'a Governorate; foodstuffs were delivered to the local population with a total weight of 3.9 tons.

In total, 1,681 humanitarian operations have been carried out; the total weight of humanitarian aid delivered is 2,300.7 tons.

Over the past 24 hours, medical assistance was provided to 383 residents.

In total, medical assistance has been provided to 64,954 residents.

A humanitarian convoy is being sent through the United Nations to Dayr al-Zawr in Dayr al-Zawr Governorate; food and medicines with a total weight of 66 tons are being delivered to the local population.

Reconciliation of opposing sides

No ceasefire regime agreements were signed over the past 24 hours.

The number of populated areas that have joined the reconciliation process is unchanged — it is still 2,273.

Negotiations on joining the ceasefire regime continued with armed opposition groups in Aleppo, Hama, Homs, Damascus and Qunaytirah Governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.

Information bulletin from the Russian Federation Ministry of Defence on the status of implementation of the Memorandum on the creation of de-escalation areas (20 November 2017)

Observance of the ceasefire regime

Monitoring groups have continued to monitor observance of the ceasefire regime as part of implementing the Memorandum on the creation of de-escalation areas in the Syrian Arab Republic signed by the Russian Federation, the Republic of Turkey and the Islamic Republic of Iran on 4 May 2017.

The situation in the de-escalation areas has been assessed as stable.

The Russian representative office of the Russian and Turkish Joint Commission reviewing issues related to violations of the ceasefire regime has reported six incidents of gunfire in the following Governorates: one in Aleppo, two in Homs and three in Damascus.

The Turkish representative office has reported six violations in the following Governorates: one in Aleppo, one in Idlib, three in Damascus and one in Dar'a.

Most incidents of small arms being fired indiscriminately have been reported in areas controlled by fighters of the terrorist groups Nusrah Front and the Islamic State in Iraq and the Levant (ISIL).

Provision of humanitarian aid to the population of the Syrian Arab Republic

The Centre for Reconciliation of Opposing Sides in the Syrian Arab Republic carried out no humanitarian operations over the past 24 hours.

In total, 1,681 humanitarian operations have been carried out, with a total weight of 2,300.7 tons.

Over the past 24 hours, medical assistance has been provided to 74 residents.

In total, medical assistance has been provided to 65,028 residents.

A humanitarian convoy was sent through the United Nations to Dayr al-Zawr in Dayr al-Zawr Governorate; food and medicines with a total weight of 66 tons were delivered to the local population.

Reconciliation of opposing sides

Over the past 24 hours, three ceasefire regime agreements were signed with Shuluh, in Homs Governorate, and Kafr Ibbish and Zahir al-Ward, in Aleppo Governorate.

The number of populated areas that have joined the reconciliation process has increased to 2,276.

Negotiations on joining the ceasefire regime continued with armed opposition groups in Aleppo, Hama, Homs, Damascus and Qunaytirah Governorates.

The number of armed groups that have announced their commitment to accepting and fulfilling the terms of the ceasefire is unchanged — it is still 234.